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## An Analysis of Legislative Assistance in the European Parliament

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My family and several individuals helped me organise my whereabouts. Small gestures speak volume.

Kdor še ne zna zajezditi konja,  
naj se čimprej nauči  
ukrotiti iskro žival,  
obdržati se svobodno v lahkem sedlu  
in uloviti ubrano mero drnca,  
predvsem pa vztrajati v slutnji,  
kajti naši konji so pridirjali od daleč  
in so daleč namenjeni,  
motorji radi odpovedo,  
sloni preveč pojedó,  
naša pot pa je dolga  
in peš je predaleč.

Lipicanci, Edvard Kocbek

Hvala.

Those who don't know how to ride a horse,  
should learn quickly  
how to tame the fiery animal,  
how to ride freely in a light saddle,  
how to catch the harmony of the trot,  
and above all to persist in the premonition,  
for our horses came galloping from far away,  
and they still have far to go,  
motors tend to break down,  
elephants eat too much,  
our road is a long one,  
and it is too far to walk.

The Lippizzaner, Edvard Kocbek

Translation by Sonja Kravanja

Thank you.



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# List of Abbreviations

<b>AD</b>	Administrator in the Staff Regulation
<b>ALDE</b>	Alliance of Liberals and Democrats for Europe
<b>APA</b>	Accredited Parliamentary Assistant
<b>AST</b>	Assistant in the Staff Regulation
<b>CEOS</b>	Conditions of Employment of Other Servants of the European Communities
<b>CoE</b>	Council of Europe
<b>Commission</b>	European Commission
<b>Congress</b>	Congress of the US
<b>Council</b>	Council of the European Union
<b>CRS</b>	Congressional Research Service
<b>DG</b>	Directorate General
<b>DG EPRS</b>	DG European Parliament Research Service
<b>DG EXPO</b>	DG External Policies
<b>DG IPOL</b>	DG Internal Policies
<b>EAVA</b>	European Added Value
<b>EC</b>	European Communities
<b>ECR</b>	European Conservatives and Reformists Group
<b>ECSC</b>	European Coal and Steel Community
<b>EEC</b>	European Economic Community
<b>EFD</b>	Europe of Freedom and Democracy Group
<b>EP</b>	European Parliament
<b>EPP</b>	Group of the European People's Party
<b>EPSO</b>	European Personnel Selection Office
<b>EU</b>	European Union
<b>Greens/EFA</b>	The Greens and European Free Alliance

<b>GUE/NGL</b>	. . .	European United Left and Nordic Green Left
<b>IMPA</b>	. . . . .	Impact Assessment
<b>MEP</b>	. . . . .	Member of the European Parliament
<b>MP</b>	. . . . .	Member of Parliament
<b>PACE</b>	. . . . .	Parliamentary Assembly of the Council of Europe
<b>PCA</b>	. . . . .	Principal Component Analysis
<b>RS</b>	. . . . .	Research Service
<b>S&amp;D</b>	. . . . .	Progressive Alliance of Socialists and Democrats
<b>SEA</b>	. . . . .	Single European Act
<b>EP Secretariat</b>		General Secretariat of the European Parliament
<b>STOA</b>	. . . . .	Science and Technology Options Assessment
<b>TFEU</b>	. . . . .	Treaty on the Functioning of the European Union
<b>UK</b>	. . . . .	United Kingdom
<b>US/USA</b>	. . .	United States of America

# Chapter 1

## Introduction

Are legislative staff important for the functioning of the European Parliament? This is the broad question dealt within this dissertation. The essence of every parliament are its elected representatives and the votes they take on legislative proposals. However, being a member of parliament (MP) entails more than voting on legislation and includes several other activities, which are hidden from the spotlight of the plenary. Members of parliament are responsible to write reports, resolutions and to communicate with the executive and local authorities etc. Each of these tasks requires several steps for their completion. For example, writing a legislative report includes negotiating with other members and political groups<sup>1</sup>, tabling amendments, writing justifications, drafting legislative resolutions and organising the final vote. In all of these activities elected representatives need the support of their non-elected aides, which in many cases represent the majority of the people working in parliament. This dissertation is about them - the unelected people or legislative staff who work in the European Parliament.

The concept of *legislative staff* originated in the literature of the American Congress and state legislatures (Hammond, 1984; Hammond, 1996). It describes *the ensemble of unelected people working in parliament that are in a position to help the elected members in carrying out their legislative function*. In the study of European legislatures it is an understudied topic, which has attracted greater scholarly attention since 2009 and the further empowerment of national legislatures in the framework of the European Union. Since the implementation of the Lisbon Treaty, national parliaments in the EU have acquired the formal power to examine the application of the subsidiarity principle in EU legislation and to object to it (i.e. early warning system). Some scholars have assumed that as a result of this new power, members of national parliaments are confronted with an increased and complex workload, which they are likely to delegate to respective administrations (Neuhold, 2014, p. 12). As of consequence, it has been hypothesised that the empowerment of national parliaments, as a solution to the democratic deficit of the EU, has lead to more bureaucracy than democracy. Therefore, a need to gather knowledge on

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<sup>1</sup>Throughout this thesis political group (also parliamentary group) refers to the group of individuals that have been elected to parliament on a political party list.

parliamentary administrations<sup>2</sup> in Europe has appeared.

**Why study legislative staff?** While the empowerment of national parliaments in EU legislation explains the increasing interests in parliamentary staff, it does not elucidate why until now legislative staff in Europe have been so sparsely studied compared legislatures in the USA and executive administrations in general. One part of the answer can be attributed to the relatively weak role of several national parliaments in Europe compared to the Congress in the USA. The other part of the answer has to do with the organisational difference between the executive and legislative branch of government. While executive administrations formulate policy proposals almost independently from elected officials, legislative administrations scrutinise, amend and sometimes formulate policy, but under a closer control from elected officials. Accountability control is easier to exercise in legislatures, because of the nature of the work, but also due to the smaller size of parliamentary administrations compared to government ones. For example in the European Union (EU), which is the case of this dissertation, there are four officials in the EU executive branch (i.e. European Commission) for each official in the EU's legislative branch (i.e. European Parliament) (see Table 1.1). Administrative accountability to elected officials is therefore more difficult to achieve in the case of executives than legislatures if only for a reason of size. As Neuhold (2014, pp. 15-16) and Winzen (2011) discern from their studies on the role parliamentary administrators in different policy areas: the final decisions are always taken by elected rather than unelected officials.

Despite the two reasons above, the gap in the research on legislative staff in Europe remains astounding. From a theoretical point of view, the study of parliamentary staff embodies some of the most fundamental questions on democracy and the relationship between the executive and legislature. First of all, legislative staff plays important role especially considering the limited resources that parliamentarians have to process legislation compared to ministers. Moreover, parliamentary administration provides members of parliament information, which is independent from the government and lobbies. In this way, parliamentary officials are an important source of parliament's autonomy. This is especially important for members of the opposition and the minority, who are less prone to trust information provided by the executive administration, which is controlled by the governing coalition or majority party.

Secondly, what is also important is how staff resources are distributed within parliament among different actors. For example, the organisation of parliamentary administration in the US Congress privileges the majority and office holders such as committee chairs, party leaders and whips. On the contrary, staff in European parliaments tend to be distributed more fairly among the coalition and opposition, the leadership and backbenchers. While the input from staff makes parliament less dependent on the expertise of the executive and

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<sup>2</sup>Throughout this thesis the term administration is used to denote the ensemble of people that work in a public organisation. Whenever the term bureaucracy is used, it denotes an administration or staff. Bureaucracy is not used to denote an ideal type or form of social and political organisation in the Weberian sense (see Page, 1992, pp. 5-10 for a discussion on the meaning of the term).



Table 1.1: Number of Staff in the EU Institutions

Staff	Commission		Council		Parliament		All	
Year	N	%	N	%	N	%	N	%
1959	1 930	74.0	264	10.0	315	12.0	2 591	100
1969	7 707	85.0	569	6.2	528	5.8	9 068	100
1979	11 649	72.0	1 547	9.5	1 977	12.0	16 162	100
1989	16 309	69.0	2 165	9.2	3 405	14.5	23 483	100
1999	21 603	70.0	2 621	8.5	4 101	13.0	30 814	100
2009	26 209	65.0	3 512	8.8	6 080	15.0	49 919	100
2014	24 944	61.0	3 153	7.7	6 743	16.5	40 772	100
Average growth r.		5.4		5.0		6.3		5.8

Source: EC/EU Budgets and own calculations

interest groups, it can also improve the quality of deliberations and alleviate the members' workload, which in turn can focus on other priorities such as the control of the executive, the representation of the constituency, re-election, life in the public eye etc. Overall, an increased use of staff is supposed to enhance the capacity of parliament and contribute to its efficiency. Therefore, there are several incentives for members of parliament to rely on their staff and give them the opportunity to participate in the political process.

**How are legislative staff important?** As described by Fox and Hammond (1977, p. 1) staff resources are power. However, legislative staff cannot affect legislation directly, because contrary to elected representatives, they do not have the right to vote (Patterson, 1970, p. 32). As described in the previous paragraphs, parliamentary administrators can contribute to the functioning of parliament, but only to the extent that members of parliament empower them to do so. When this is the case, their importance is associated with their expertise and the nature of the tasks they perform, such as gathering information on which policy is then based, planning and executing public hearings and drafting amendments and committee reports (Patterson, 1970, p. 26). Hypothesising that legislative staff are important implies that non-elected officials in the parliament are active actors in the political system of the EU.

**Why study the EP?** Studying legislative staff is a relevant question for democracy, however why should one study the case of the EP? There are two main reasons to study the EP. The first reason stems from the position that the EP occupies in the political system of the EU. The second one regards the organisational characteristics of the EP in a comparative perspective with other legislatures. The European Parliament is an interesting case to study, because it qualifies as a legislature with important decision-making powers. From the 1970s until the entry into force of the Single European Act (1987), the EP had powers only in the budgetary policy of the European Communities. Throughout a series of intergovernmental conferences in Maastricht, Amsterdam, Nice and Lisbon and inter-institutional agreements, the EP has gradually acquired legislative powers, first through

the cooperation procedure and then with codecision (i.e. ordinary legislative procedure, OLP).

The changes codified in the treaties of the EU closed the gap between the roles of the EP and national parliaments. Like any other national parliament, the EP directly represents European citizens (since 1979), debates and passes legislation and scrutinises the work of the European Commission, the executive-like organ of the EU. In doing so the EP is a policy-influencing legislature (Norton, 1994; Norton, 2003; Kreppel, 2006), because it can modify, reject and even propose laws via its right of initiative (i.e. ask the Commission to submit a proposal) and own-initiative reports. The EP can effectively slow down or actually stop a proposal and force the European Commission and the European Council to bargain on a policy. This makes the EP a powerful parliament compared to many other EU member state-parliaments, which do not have such prerogatives.

Also, it is important to note that the party system in the EP is a multi-party or a ‘two-plus-several’ party system, where the two main groups (Socialists and the Christian-Democrats) hold between 30 and 35 per cent of the seats each (Hix et al., 2007). Neither of the two largest parties has ever held an absolute majority, which is also a reflection of the proportional electoral system. Decision-making therefore functions on the basis of coalitions and simple majorities. However, in contrast to fused parliamentary systems, there is never a stable coalition in the EP. This is due to the fact that the executive is not selected within the EP and thus is not dependent on the support from a stable coalition or majority in parliament. The consequence is that each proposal coming from the Commission requires building a new coalition. This condition may further enhance the possibility of staff to influence legislation, because they have several opportunities to participate in negotiations between political groups and individual members.

The EP is furthermore an interesting case to study, because it qualifies as one of the biggest assemblies of Europe in terms of members and staff. Although the EP does not employ as many committee staffers as the US Congress (as of 2011 the Senate and House combined employed 15 907 staff, IPU, 2012, p. 101), it is in this respect an interesting case to explore compared to national parliaments in Europe.<sup>3</sup> In fact, the EP employs far more civil servants than any other national parliament in Europe (6 743 officials in 2014, Annual Budget, 2014). For example, the administration of the German *Bundestag* counts 2 500 civil servants (Linn and Sobolewski, 2010, p. 131), while the French *Assemblée nationale* has capped its civil service to 1 349 officials (Assemblée nationale, 2013, p. 436).<sup>4</sup> The high number of employees in the EP is justified by the need for translation and interpretation

<sup>3</sup>According to Smith et al. (2011, pp. 105, 213) in 2005 the Senate and House combined employed 2.200 committee staff and around 10.000 personal staff of senators and representatives. Other non-European parliaments for which information is available are Mexico (7 257), Philippines (3 922), India (3 691), Japan (2 989), Cambodia (1 692), Dominican Republic (979), Costa Rica (683), Bangladesh (766), Colombia (571), United Republic of Tanzania (320), Benin (300), Malawi (151), Rwanda (115), United Arab Emirates (97), Timor-Leste (91) and Singapore (43) (Situation in 2011, IPU, 2012, pp. 101-103).

<sup>4</sup>The French Senate and National Assembly employ together 2 381 staff (IPU, 2012, p. 101). Information is also available for Turkey (2 696), Ukraine (1 127), Spain (844), Hungary (603), Norway (445), Belarus (245), Croatia (250) and Andorra (15) (Situation in 2011, IPU, 2012, pp. 101-103). When parliaments are bicameral, the number is for staff in both chambers.

services in several official languages. In spite of this, the number of staff that works on committee issues and in the personal office of members is unseen in other parliaments of Europe (European Parliament, 1997).

Another reason to study the parliamentary administration of the EP is the general negative image of the EU administration. For instance, most EU nationals (wrongly) believe the EU administration is the biggest expenditure of the EU budget (European Commission, 2011a).<sup>5</sup> At the same time, the public considers administration the area on which the EU should spend the least (European Commission, 2011a). Media reports have exposed the EP civil service in a negative way as well ('too big, too costly') (e.g. Brand 2010; Taylor 2010; Banks 2011; Brand 2012).

Finally, an analysis of the EP administration is important also due to public spending reforms adopted by several EU's member states after the 2007-2008 financial crisis. These reforms prescribed general public spending cutbacks including civil service staff reductions. Under the pressure from member states who have demanded staffing cuts up to 12 per cent (Brand, 2012), the European Commission has put forward a legislative proposal to reform the EU's staff regulations, which included the provision to cut staff by 5 per cent before 2018 in each institution and agency of the EU (European Commission, 2011b). This proposal has been adopted in 2013, but the Legal Affairs Committee of the EP had initially rejected such an 'automatic' reduction across all institutions (European Parliament, 2012c, p. 67). According to the MEP and responsible rapporteur Dagmar Roth-Behrendt (Socialists and Democrats), enlargement and the newly acquired competences under the Lisbon Treaty in 2008 require 'tailor-made' solutions per institution (European Parliament, 2012c, p. 69).

In summary, the EP is the biggest parliament in Europe. It has influence on EU policy, since it can draft amendments and propose legislation, which is then dealt upon in committees. In these political circumstances many parliamentary outputs such as policy assessments and constituency activities can be traced back to staff. The absence of a stable majority requires a constant effort for negotiations and coordination of positions, where staff can also play a role. It is in the line with the developments enhancing the role of the EP that interest for researching legislative staff in the EP arises. Therefore, it is pertinent to shed light on the individuals in parliament that assist members in legislative activities.

## 1.1 Research Statement

Since the implementation of the Lisbon Treaty, the EP has reinforced its position as a policy-influencing legislature, which can modify, reject and propose laws. As a result, the legislative workload in the EP and the complexity of its policy agenda have augmented

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<sup>5</sup>Expenditures for administration were the highest in the late 1950s and early 1960s (approximately 35.5 per cent per year from the total budget). However, the high percentage in administration's expenditures is expected for this time, as other EU expenditures such as the agricultural and regional fund did not exist yet. From 1962 onwards (creation of the agricultural fund) administration expenditures started to fall and stabilised in the 1970s. Between the 1970s and 2011 administration expenditures varied from a minimum of 4.3 per cent (1986) to a maximum of 6.0 per cent (1975, 1981, 2006, 2011) (Data based from the EC/EU Budgets).

as well. In order to successfully deal with new legislative competences and an enlarged membership, the EP has at its disposal several resources. Instead of looking at the traditional parliamentary resources such as, political rights (e.g. right to vote, right to amend or propose legislation, right to modify parliamentary procedures etc.), this thesis explores **the administrative resources of parliament, individual legislators or group of legislators**. More precisely, the interest is to study **their right to employ staff and to obtain legislative assistance** to help them study and draft legislation.

In addition to legislative staff, legislative assistance is a key concept in this thesis. The simplest way to define legislative assistance is as the activity carried out by legislative staff or as the activity throughout which members of parliament are assisted.<sup>6</sup> The dissertation mainly focuses on the legislative functions of parliament (i.e. the process of adopting legislation), but it takes into consideration also the control and budgetary functions of parliament. Therefore, the adjective ‘legislative’ pertains to the EP as a legislature rather than to its legislative function. The dissertation however does not look specifically into the so-called administrative services of parliament, such as maintaining the registry of the parliament, recording the chamber and committee proceedings, etc.

While there has been some attention on how the EP has adapted to changes as a political institution (e.g. Farrell and Héritier, 2004; Rittberger, 2003; Gungor, 2008), no study has so far dealt with legislative assistance. In an effort to extend our knowledge on the EP, this dissertation asks the following question: **How does the organisational form of legislative assistance affect the functioning of the European Parliament?** The question is ambitious, because so little is known about who are legislative staff and what do they do. Therefore, the aim of the thesis is first to find out what is the form of organisation of legislative assistance in the EP and second, whether staff play a relevant role at all.

Following studies which have analysed the political resources of parliament, such as committee assignments (e.g. Kaeding 2004; Høyland 2006; McElroy 2006; Yordanova 2009) and party politics (e.g. Kreppel 2002; Hix et al. 2003), the underlying assumption of the thesis is that the way the EP organises itself and uses its own resources affect the internal political life in the EP as well as the EP’s position within the EU institutional context (Bowler and Farrell, 1995, p. 220; Kreppel, 2002, p. 2; Bauer, 2008b, p. 630). What a staff member might say or do, has supposedly lesser consequences than the choices over the legal basis, the competent committee or the rapporteur for a legislative dossier. Nevertheless, staff are resources, which if used responsibly can contribute to the resolution of a political problem. Evidence for this is the case of the US Congress (e.g. DeGregorio, 1994; Romzek and Utter, 1997) and more recently the EP (e.g. Winzen, 2011; Dobbels and Neuhold, 2013; Neuhold and Dobbels, 2014).

The main theoretical argument of this dissertation is that the choices the EP makes on how to organise its legislative staff affect the way legislation is processed and decided in the EP. The expectation is that the organisation of legislative assistance determines which

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<sup>6</sup>Legislative staff is defined on page 1.

individuals (legislative staffers, i.e. general secretariat officials, political group advisors and/or MEP's accredited assistants) are involved in the activities of legislative assistance and to what extent. When it comes to intra-institutional relations, research has shown that political groups are the most important decision-making actors in the EP (Hix et al., 2009). Through the reforms of the EP's Rules of Procedures, the main political groups have strengthened their role on the expenses of smaller political groups and individual MEPs (Kreppel, 2002). Since political groups are crucial for the functioning of the EP, it is expected that the resources of legislative assistance benefit political groups the most. In comparison to political groups, the organisation of an MEP office with several accredited assistants is a relative novelty. Hence, the expectation is that the primary beneficiaries of legislative assistance are first political groups and then individual MEPs. The civil servants working for the EP's general secretariat have assisted MEPs since the EP's beginning as the Common Assembly of the European Coal and Steel Community. As a result, they have been an important resource in all the aspects of MEPs' work (even comparing to political advisors). Their role is said to have diminished as a result the EP's legislative empowerment from the 1980s onwards (Camenen, 1995; Costa, 2003). Since 2000s, a reform process has gradually reshaped the organisation of the EP's general secretariat.<sup>7</sup> Some of these reforms are very recent (2013). Thus, whether and how these reforms have changed the role of the EP's secretariat is difficult to predict. Nevertheless, the expectation is that the EP's general secretariat is attaining again an important role in the assistance of MEPs.

In order to gain an insight into the research question, the dissertation is concerned with the **institutional design of legislative assistance in the EP** in two different ways. First, the research project explains the organisational **form** of legislative assistance in the EP (e.g. departments, units, etc.), how it has **emerged** and **changed** over time. Second, the dissertation investigates the **behavioural consequences** (i.e. staff's frequency of involvement in legislative assistance) of the EP's administrative institutional form.<sup>8</sup> The ambition is first to explain the organisation of legislative assistance and then to link it to the behavioural consequences of administrative action in the EP. In practice this means studying two different outcomes. The first outcome is the institutional design of legislative assistance in the EP (i.e. the form, creation and change). The second one are the behavioural consequences resulting from the institutional form of legislative assistance in the EP. Legislative assistance is therefore theorised first as a dependent variable (i.e. the form, creation and change) and second as independent variable (i.e. the effect).

When researching legislative assistance as a dependent variable the questions of interest are: *What has driven the changes in the EP's organisation of legislative assistance? What has been the balance of power between the different groups of legislative staff in the EP? Have changes in legislative assistance preceded the evolution of the EP into an assembly with decision-making powers or the opposite? What is the situation of legislative staff today and where is it headed?*

<sup>7</sup>Throughout the thesis the EP's general secretariat is denominated also as the EP's secretariat.

<sup>8</sup>The frequency of involvement in legislative assistance is operationalised in Section 9.3.

When researching legislative assistance as an independent variable the questions of interest are: *How and by who are members of parliament assisted in their legislative function? How does the organisation of legislative assistance affect the way staff assist members of the EP? What determines the involvement of individuals in the legislative assistance of members of the EP? Does the organisation of legislative assistance affect in any way the decision-making process in the EP and the position of the EP in inter-institutional relations?* The following paragraphs summarises the main hypotheses and arguments that will be explained in detail in subsequent chapters.

### Dependent Variable: Institutional Design

This dissertation is written with the view that to understand the effects of an institution (i.e. legislative assistance), we first need to be informed over its design within the larger social and historical context. Design includes the form of an institution, its creation and change. The form refers to the organisation. In the case of legislative assistance, this includes the organisation of departments, units, recruitment, salary, etc. Form and organisation are, therefore, used interchangeably throughout the dissertation.

The institutional design of EP's legislative assistance is explained following a new institutionalist theoretical approach (Hall and Taylor, 1996; Peters, 2005). A theoretical model of dialogue is applied, where different new institutionalist approaches are considered to explain different aspects of a larger empirical problem. For the purpose of analysing the institutional design of legislative assistance, the approaches of functional rational choice, sociological and historical institutionalism are employed. More specifically, the form of legislative assistance is explained following sociological institutionalism and the functional model of rational choice institutionalism; while its creation and change are explained with historical institutionalism and the functional model of rational choice institutionalism.

### Hypotheses

The dissertation provides evidence for four main hypotheses (in the following denoted as H1, H2(a,b), H3(a,b,c) and H4(a,b,c,d,e)). Three of them are researched on the basis of qualitative data and methods. The fourth one is a statistical hypothesis and it is consequently tested using quantitative and statistical methods. The word 'hypothesis' is employed for qualitative research as a device for dealing with qualitative data. Rather than statistical hypotheses they are projected assumptions, which are not tested but investigated.

**Form** At the beginning of EU integration, the EP (as the Common Assembly of the European Coal and Steel Community, ECSC) resembled to a deliberative forum rather than a state legislature (i.e. any legislature in a modern Westphalian state). However, in the 1970s, the EP began to acquire prerogatives similar to the ones of national legislatures, such as powers over the budget and direct elections of members. The process of

parlamentarisation - the adoption of the model of representative democracy - continued with the implementation of the Lisbon Treaty in 2009 and most recently in the election campaign of 2014, when the main European political parties pre-selected their candidates for the post of President of the Commission (i.e. the EU equivalent to the head of government). In this dissertation, it is assumed that the form of legislative assistance in the EP has changed through the years as a result of the parlamentarisation of EP's political structures. Based on the assumption that the EP has evolved into a state like legislature, with budgetary and legislative powers, it is expected that the organisation of the EP's administration resembles the one in state-legislatures. The following hypothesis is investigated:

Hypothesis 1: The form of legislative assistance in the EP is organised according to the form of state legislatures.

Theoretically, the hypothesis relies on sociological institutionalism and the so-called 'logic of appropriateness' (Olsen and March, 1984), where forms of organisation are mimetic or isomorphic to culturally accepted modes of organisation (DiMaggio and Powell, 1983; Frumkin and Galaskiewicz, 2004). In order to empirically investigate this hypothesis a comparative approach is adopted. In the absence of scholarly literature dealing with the organisation of legislative assistance in parliaments, a chapter of the dissertation is dedicated to reviewing the systems in the United States' Congress, the British House of Commons, the German Bundestag and the French National Assembly. While the selection of these cases is explained in detail in Chapter 5, here it suffices to say that the selected legislatures are relevant because some of their aspects are reflected in the EP.

After setting a comparative benchmark based on systems of organisation in state legislatures, the dissertation reviews the form of organisation of legislative assistance in the seventh term of the EP (2009-2014). The seventh term was chosen, since it represented the most current state of organisation at the time this study was carried out (2011-2014). The comparison shows that the EP is organised according to the principles found in state legislatures. However, the EP's form of legislative assistance does not resemble any state legislature in particular. Moreover, the EP also shows characteristics of its own.

**Creation** Politically, the EP has not always exhibited state-parliament characteristics. Quite the opposite, the Schuman Declaration of 9 May 1950 did not even envisage a parliament for the ECSC. It was only in the negotiations of the Paris Treaty that a parliamentary body for the ECSC was devised. However, the Paris Treaty only included the provision for a deliberative body rather than a full-fledged parliament. Therefore, in order to understand the form of legislative assistance in the EP, it is not only necessary to take into account its resemblance to state-parliaments, but also its history. A historical approach is adopted, because looking at the events that have shaped the EP, places the organisation of legislative assistance in the political context of the EU. As put by Pierson (1996, p. 128): 'Looking at a film discerns more than looking at a photograph.' Based on the

historical context, two hypotheses are put forward: one about the creation and one about the immediate form of legislative assistance.

As already mentioned, the ECSC's Common Assembly, as the forerunner of the EP, had only deliberative and control alike parliamentary functions. It did not have legislative, amending or financial prerogatives. Given the absence of any other legislative function aside deliberation, it is unlikely that the first administrative structures supporting the parliamentary activities in the Common Assembly were organised according to the forms in state legislatures. In respect to the tasks conferred to the Common Assembly, it is more plausible to assume that the Common Assembly adopted an administrative form fit for its function in the ECSC. For example, in order to carry out its deliberation, the Common Assembly presumably had a service for stenography, minutes writing, sittings organisation etc. On the other hand, it is not likely to find in the Common Assembly specialised services for matters of parliamentary procedures, privileges and broader political issues. The following hypothesis, which leans on the functional explanation of rational choice institutionalism, is put forward:

Hypothesis 2a: The administrative organisation of the ECSC's Common Assembly corresponds to the rational-functional model of organisation.

Despite its limited competence compared to state-parliaments, the Common Assembly adopted very soon some of the typical structures of state-parliaments. For example, the first political groups (i.e. state's party groups in parliament) were established in 1953. Moreover, the 'founding fathers' of the EU envisaged a federal development for European nations (Monnet, 1978). Cooperation in the coal and steel industries was a springboard for a federally organised Europe with a federal constitution and institutions (Duchêne, 1994). Therefore, it is plausible to assume that the Common Assembly adopted some of the administrative features similar to state-parliaments already in the 1950. The following hypothesis is put forward:

Hypothesis 2b: The federal idea of Europe, as conceived by the founding fathers of the EU, promoted the adoption of state-parliament characteristics for the organisation of legislative assistance in the Common Assembly.

Theoretically, the hypothesis leans on sociological institutionalism (Meyer and Rowan, 1977; Boxenbaum and Jonsson, 2008). According to which, a form of organisation can be adopted because it is culturally acceptable (albeit functionally inefficient). In sociological institutionalism this is known as 'decoupling' (Meyer and Rowan, 1977), i.e. when organisation are pressured to adopt a model ('myth') that is promoted in the environment.

To sum up, H2a and H2b are about the first form of administrative organisation in the EP, its creation and immediate development. A historical analysis of documents and personal accounts is carried out to discover the hypotheses' plausibility. Evidence shows that the administrative organisation of the Common Assembly draws from both functional and cultural considerations prevalent in the 1950s.



**Change** The change in the organisation of EP's legislative assistance is observed from 1958 onwards. In 1958, the early period of the EP as the Common Assembly ceased and the era of the European Community started. Beginning from the late 1950s, the development of the EP has been shaped by several events, notably treaty revisions, membership enlargements and most recently, the economic crisis. The EP has been one of the European Community's institutions that has changed the most (Priestley, 2008). The dissertation builds on the assumption that the revisions of EU's treaties have had the greatest effect on the functioning of the EP. Therefore, it is supposed that the form of legislative assistance has changed in parallel to (or shortly after) the adoption of the EU's revised treaties. The following hypothesis is put forward:

Hypothesis 3a: Since 1958, legislative assistance in the EP has changed in parallel and as a result of treaty revisions.

Theoretically, Hypothesis 3a leans on the functional explanation of rational choice institutionalism. According to it, a changing environment induces institutional adaptation to address efficiency concerns.

As already mentioned above, the EP has undergone a process of parliamentarisation throughout which it has acquired characteristics similar to state legislatures. Therefore, it can also be assumed that EP's legislative assistance changed according to the model of state legislatures. The hypothesis is:

Hypothesis 3b: The form of legislative assistance has changed in line with the model of state legislatures.

Hypothesis 3b implies that legislative assistance adapted to the political evolution of the EP into a parliament with legislative powers. Compared to Hypothesis 3a, it does not disclose anything on the pace of change.

In order to do this, the dissertation builds on the argument advanced in Hypothesis 2b, i.e. that the ideas of the 'founding fathers' on a federally organised Europe influenced the organisation of legislative assistance. In the terms of historical institutionalism, such periods are known as 'critical junctures' (Collier and Collier, 2002; Ikenberry, 1994), i.e. moments that critically mark the form of an institution. In addition, historical institutionalism supposes that all subsequent institutional changes are extensions of the form that was determined in a critical moment. Therefore, institutions respond to changing environmental conditions, but in ways that are constrained by past trajectories that are difficult to reverse, i.e. 'path-dependency' (Krasner, 1988; Ikenberry, 1994). Both, sociological and historical institutionalism, allow to theories legislative assistance as an institution changing towards the model of state-legislatures. Even though, they invoke different logics. Sociological institutionalism invokes 'critical junctures' and 'path-dependency', while sociological institutionalism invokes the logic of 'isomorphism'. However, historical institutionalism can inform us also on the timing of changes. In the functional explanation of rational choice institutionalism, institutions are swift to respond to environmental changes. On

the contrary, historical institutionalism supposes that there can be long lags between a changed environment (i.e. process) and changed institution (i.e. outcome) (Pierson, 1996; Pierson, 2000a). By combining the arguments of critical junctures, path-dependency and lagged adaptation, the following hypothesis is proposed:

Hypothesis 3c: The form of legislative assistance in the EP has *gradually* changed in line with the model of state legislatures.

To sum up, the dissertation observes change in legislative assistance following assumption in rational, sociological and historical institutionalism. The analysis of the hypotheses is based on the author's interviews and secondary resources, such as original documents. The results show evidence for a functional, isomorphism and path-dependency logics. Thus, providing evidence for the complementarity of new institutionalists' approaches.

### **Independent Variable: The Effects of Organisation**

Once the form, origin and change of legislative assistance are known, the dissertation explores **what determines the involvement of individuals in the legislative assistance of members of parliament?** The question is analysed on the basis of organisation theory. The main purpose of organisation theory is to understand the causes of behaviour given the organisational context of formal organisations (i.e. the institutional design as understood here) (Egeberg, 2004, p. 199). In order to understand the behaviour in an organisation we need to 'unpack' these organisational characteristics within which individuals interact (Egeberg, 2004, p. 201). This dissertation is an attempt to unpack the organisational characteristics in the administrative system of the EP. Previous empirical research has demonstrated that formal organisations are more likely to affect behaviour than the variables. It is assumed that institutional design (i.e. formal choices over organisation) determines staff's frequency of involvement in the legislative assistance to MEPs (i.e. staff's behaviour). The hypothesis put forward is:

Hypothesis 4: The organisational structure of legislative assistance affects the behaviour of legislative staff.

Five organisational structures are examined: job rank, administrative affiliation, functional specialisation, policy specialisation and political specialisation. The sub-hypotheses are the following:

Hypothesis 4a: Involvement in legislative assistance increases with the job rank.

Hypothesis 4b: Administrators employed in the general secretariat are involved more frequently in legislative assistance than the political advisors working for political groups and accredited parliamentary assistants.

Hypothesis 4c: Staff who follow the work of at least one committee are involved more frequently in legislative assistance than staff who do not follow the work of committees.

Hypothesis 4d: Individuals working on economic and scientific policy are involved more frequently in legislative assistance than others.

Hypothesis 4e: The involvement of staff in legislative assistance depends on the political group staff work for.

## 1.2 Methods and Data

In order to provide evidence for the research problem above, the study uses qualitative and quantitative methods and data. When possible data is corroborated. Depending on whether legislative assistance is treated as a dependent or independent variable, two definitions of legislative assistance are employed on different levels of measurement. The first part examines the organisation of legislative assistance using a nominal definition of legislative assistance, which describes the phenomena in broad terms given the type of policy areas the EP legislates on, the decision-making venues in the EP where legislative assistance is needed, and the individuals in the EP who work on legislation. Given these three features, legislative assistance in the EP is defined as the activity carried out by administrators in the general secretariat, accredited parliamentary assistants (APAs) and political advisors in political groups; in the policy areas where the Treaty on the Functioning of the European Union (TFEU) grants the EU exclusive or shared decision-making competences; and mainly in the committee setting compared to the plenary. This definition and the subsequent analysis on the institutional design of legislative assistance are mostly based on qualitative data, which include primary and secondary resources. Twenty-eight interviews were conducted with staff who are working or had worked in the EP's general secretariat, political groups and MEPs offices. A series of official documents were collected, which included qualitative and quantitative data.

The second part of the dissertation analyses the effect of the organisation of legislative assistance using an empirical model with quantitative data. Such quantitative analysis requires a precise definition on a high level of measurement. For this reason, the nominal definition used in the qualitative analysis is further explored with a survey, which was administered to legislative staff working in the EP in the seventh term. On the basis of survey responses, legislative assistance is defined with a scale of six items or tasks: advising MEPs on the line to take on a policy, drafting amendments, drafting legislative reports, negotiating with political groups, coordinating positions among MEPs and preparing voting lists. The definition of legislative assistance, which is based on six tasks is narrower than the nominal one, because it breaks down legislative assistance to six clearly defined activities. What determines the involvement of individuals in the legislative assistance of members is then analysed with regression analysis.

### 1.3 Contribution of the Study

Even though the subject of this dissertation is an administration, this is not a classical study of public administration. This has mainly to do with the fact that we are dealing with the legislative and not the executive branch of government. It is uncommon for the study of public administration to concern itself with parliaments, mainly because parliamentary administrations, in contrast to executive ones, are small in size and free from management responsibilities, such as the implementation of policies. Since legislative administrations do not manage government policies, there is little scope to analyse their efficiency and performance or to prescribe a set of administrative reforms, as it is the case in the study of public administration. In addition, questions of administrative control are less interesting in the case of parliament than the executive. That the study of public administration mainly deals with the executive is also clear in the field of European studies, where public administration scholars have mainly dealt with the European Commission and the Council, the executive like organs of the European Union (for literature on the Commission see Bauer, 2008a; Trondal, 2011; for the Council see Beach, 2004; Dijkstra, 2010) or with the adaptation of governmental agencies for implementing EU policies (e.g. Olsen, 2003; Olsen, 2005).

In contrast to this literature, this dissertation is written in the tradition of legislative studies, which means that by looking at the administrative players (in the EP), the aim is to acquire new knowledge on how legislatures work. This is also not a study on bureaucracy, as the purpose is to understand organisation rather than the influence of staff. Moreover, this thesis contributes first and foremost to the study of the European Parliament. Since the Maastricht treaty introduced the codecision procedure in 1992, academics have devoted significant resources to the study of the EP. The result of which has been an unprecedented advance in the knowledge on the EP. Scholars have focused on different areas such as the position of the EP in the EU institutional context, where scholars have analysed the impact of the EP on Community legislation given different decision-making procedures (Héritier and Reh, 2012; Kreppel, 2002; Tsebelis et al., 2001; Tsebelis, 1994), the role of political groups, where the main focus has been the allocation of resources and the voting patterns in the EP (Hix and Lord, 1997; Hix et al., 2007; Lindberg et al., 2009; Bowler and Farrell, 1995), the characteristics of MEPs, where the main theme is the role of MEPs (Scarrow, 1997), and the internal political organisation of the EP, where the most attention has been devoted to the committee structure (Yordanova, 2009; Whitaker, 2011). It is within this branch of studies on the EP, which examines the forms of legislative organisation, that this PhD dissertation contributes the most.

However, instead of dwelling on the political organisation, the focus is on the administrative organisation in the EP and its legislative staff. It is important to note that while the political organisation of the EP has been the subject of academic attention, rare are studies that treat the problem of its administrative organisation. The fact that research on the EP's administration is limited, reflects also the situation in studies on European na-

tional parliaments (for exceptions see Schendelen 1976; Ryle 1981; Campbell and Laporte 1981). An exception in the field of legislative studies is research, which has been carried out on the American Congress (Senate and House of Representatives). Hammond (1984; 1996) has written two articles reviewing this literature. Through the analysis of literature she shows that scholars have acknowledge legislative staff as part of the political system and a variable affecting the legislative process.

In contrast to the USA, studying legislatures from the perspective of their administrations is a relatively new way of thinking about parliaments in Europe. As pointed out by Christiansen et al. (2014, p. 123) the study of parliament in Europe has focused on ‘formal institutions’ such as the ‘political preferences of elected members, political party hierarchies, parliamentary speakers and committee chairs’. As this thesis shows, studying the parliament from an administrative angle does not in any way undermine the literature on the political structures of parliament. On the opposite, observing administration can shed new light on what political developments (i.e. changes or reforms) mean for a given political system and the institutional players therein. As this thesis shows, the political and administrative developments go hand in hand and are dependent upon each other.

## 1.4 Plan of the Study

Legislative assistance in the EP is addressed in eleven chapters and two empirical parts. Chapter 2 and 3 develop the theoretical framework of the thesis. Chapter 2 includes a literature review, while Chapter 3 sets out the theoretical approach underpinning the dissertation. Chapter 4 gives an overview on the data and methods employed in the thesis.

The empirical results of the dissertation are split into two parts. Chapters 5 to 7 make up the first empirical part, which can be regarded as the qualitative part of the dissertation, where legislative assistance is treated as a dependent variable. Chapter 5 asks who are the providers of legislative assistance and what kind of assistance do they offer. These two questions are answered given the examples of national legislatures in the United States of America (USA), the United Kingdom (UK), Germany and France. Subsequently, some parallels are drawn between the organisation of the EP and national parliaments. Based on the conclusion drawn from the fifth chapter, the sixth and seventh chapters then explore the organisation of legislative assistance in the EP from 1952 to 2013.

Chapters 8 to 10 constitute the second empirical part, which can be considered as the quantitative part of the dissertation, where legislative assistance is treated as an independent variable. In the second part, the effects of the organisation of legislative assistance are tested. Evidence is based on quantitative data, which was obtained with a survey. Chapter 8 develops a theoretical model on the determinants of staff’s involvement in legislative assistance. In addition, the independent variables of the model are operationalised. Chapter 9 develops the concept of legislative assistance as a type of behaviour. Chapter 10 then tests the empirical model on what determines staff involvement in legislative assistance. The final chapter is a conclusion, which links the qualitative and quantitative results.

Table 1.2: Summary of Hypotheses

Part	Chapter	Abb.	Hypothesis	Theoretical Approach
Part I	Ch. 5	H1	The form of legislative assistance in the EP is organised according to the form of state legislatures.	Sociological Institutionalism ('Isomorphic Hypothesis')
	Ch. 6	H2a	The administrative organisation of the ECSC's Common Assembly corresponds to the rational-functional model of organisation.	Functional Rational Choice Institutionalism ('Functional Hypothesis')
		H2b	The federal idea of Europe, as conceived by the founding fathers of the EU, promoted the adoption of state-parliament characteristics for the organisation of legislative assistance in the Common Assembly.	Sociological Institutionalism ('Decoupling Hypothesis')
		H3a	Since 1958, the form legislative assistance in the EP has changed as a result of treaty revisions.	Functional Rational Choice Institutionalism ('Functional Hypothesis')
Part II	Ch. 8, 9 and 10	H3b	The form of legislative assistance has changed in line with the model of state legislatures.	Sociological Institutionalism ('Isomorphic Hypothesis')
		H3c	The form of legislative assistance in the EP has <i>gradually</i> changed in line with the model of state legislatures.	Historical Institutionalism ('Path-Dependency Hypothesis')
		H4	The organisational structure of legislative assistance affects the behaviour of legislative staff.	Organisation Theory

## Chapter 2

# Literature Review: Legislative Staff

Contrary to the books on the European Commission by Page (1997), Stevens and Stevens (2001) no comprehensive study on the administrative actors in the EP has been published so far. Descriptive information over recruitment procedures, promotions, salaries and representativeness has been collected in a fragmented way as part of greater research projects on the EP (e.g. Corbett, 2001, p. 90; Corbett et al., 2007, pp. 101, 133, 199; Judge and Earnshaw, 2003, p. 176; Clark and Priestley, 2012, 363-376, also 7-9, 76-77, 207, 248; Teasdale and Bainbridge, 2012, pp. 274-74, 752-53). Almost all of these works have been written by people who work(ed) for one of the EU institution. In addition, researchers have covered specialised topics such as organisation and reforms (Kungla, 2007; Priestley, 2000), administrative autonomy from politics (Camenen, 1995; Costa, 2003), legislative assistance (Neunreither, 2003) and the history of the administrative service (Guerrieri, 2012) (see Table 2.1). In recent years there has been a revival of the subject on legislative staff both on the European and national level (e.g. Winzen, 2011; Dobbels and Neuhold, 2013; Egeberg et al., 2013; Michon, 2014). Theoretically and methodologically the literature is rich. This can be attributed to the fact that the administration of the EP has been studied by sociologists, historians and political scientists. In the following paragraphs I review this literature. The first section recaps studies in political sociology as the most coherent group of studies. The second section presents studies where the emphasise is on administrators as participants in a political process.

### 2.1 Staff as Social Actors

The most coherent group of studies is the one using an interpretative epistemology and a social ontology (i.e. studying the nature and structure of social reality) (see Kauppi, 2003; Georgakakis and Weisbein, 2010; Ripoll-Servent and Busby, 2013). Most of these studies have been published by scholars affiliated to the research group of European political sociology at the University of Strasbourg (for an exception see Busby, 2013). This group of academics has come the closest to providing a comprehensive theoretical approach for studying administrative players in the EU. Their contributions are inspired by Pierre Bour-

Table 2.1: Research on EP's Administration

Subject	Examples	Methods	General finding(s)
Descriptive information	Corbett et al. 2007; Clark and Priestley 2012; Teasdale and Bainbridge 2012	Documentary analysis Insiders' views	Information on the organisation of work, demographics and the role of staff.
Organisation and reform	Priestley 2000; Reck 2003; Neunreither 2003; Kungla 2007	Documentary analysis Interviews	The EP Secretariat has evolved in parallel with MEP's role and their powers. In order to provide autonomous information and technical expertise vis-à-vis lobby sources of information the EP needs a strong internal administrative capacities. Reforms of the EP administration are slow.
Autonomy from politics	Camenen 1995; Costa 2003; Neunreither 2003; Perez 2007	Documentary analysis Insiders' views	The EP administration is subject to more politicisation than national parliaments. It was independent in the 1950s and 1960s. Gradually the functions of the secretariat fell under the authority of politicians.
Role in the policy process	Winzen 2011; Dobbels and Neuhold 2013	Interviews Case study of policy	Factors and conditions determining the delegation of task: The role of secretariat's officials is in the discretion of MEPs and the rapporteurs in particular. The secretariat takes over policy-making tasks in policy cases where the MEPs do not have expertise or when the policy is not politically important.
Behaviour and inter-institutional relations	Egeberg et al. 2013; 2014a, 2014b	Survey Count of meetings	The behaviour of officials in the EP reflects supranational, ideological and sectoral consideration. Similar organisational patterns facilitate inter-institutional dialogue.



Table 2.1: Research on EP's Administration - *continued*

Subject	Examples	Methods	General finding(s)
Sources of information	Reck 2003; Neunreither 2003	Documentary analysis	To exert influence on policy, the EP depends on its expertise sources. Information is therefore the key source for civil servants to exert influence on MEPs and policy-making. Increasingly complex and technical issues require internal and external expertise. External sources of expertise have better adapted to the needs of MEPs after the Maastricht Treaty than in-house expertise. The main issue is impartiality of information.
Agent perspective	Michon 2004; 2005; 2008; 2014; Busby and Belkacem 2013; Busby 2013	Biographical studies Ethnography	Conditions to enter the European political space (education, country of origin, age etc.).
History	Guerrieri 2012	Analysis of primary resources	Historical account on the development of administration 1952-1979.

dieu's agenda of organisational research and in particular Bourdieu's concept of field as a set of organisations active in what DiMaggio and Powell (1983, p. 148) see as a 'recognised area of institutional life: key suppliers, resource and product consumers, regulatory agencies, and other organisations that produce similar services or products' (see also Emirbayer and Johnson, 2008).

The majority of empirical contributions in political sociology deals with elected actors in the EU (i.e. commissioners and MEPs) and to a certain extent with non-elected officials working in the European Commission (e.g. Beauvallet and Michon, 2010; Mangenot, 2004; Georgakakis and Lassale, 2004; Georgakakis, 2010b). Less attention has been paid to administrative actors working in the European Parliament. When such studies exist they are about assistants working for the members of parliament in the EP. These studies have generated data describing the daily work of staff, which represents an important source of information on how administrators work on a daily basis. The objective of interpretative studies is to investigate the actors or the 'elites' that make decisions in the EU. Their contribution is the investigation of the 'human dimension' of policy-making in the EU. In the words of Kauppi (2011, p. 150): 'A sociological account makes clear what should be self-evident: the EU does not do anything by itself; it is people as everyday political agents who make the EU happen.'

Although political sociologists take the individual as the unit of analysis, they do not study people as members of an organisation. This means that people are not treated as the personnel of an organisation in terms of salaries, recruitment criteria and procedures. Members of an organisation are first and foremost members of a society. What is important is the relationship between the individual and society rather than the individual and the organisation. More precisely, what is researched are the conditions in which power is produced. By analysing the social capital of agents, sociologists answer questions such as what does it take to become an MEP, European Commissioner, stagier or legislative staffer in the EP and how different social capitals influence someone's orientation towards Europe and the EU. Capital is a social relation rather than a thing or material phenomenon. Hence, the interest does not lie in explaining behaviour or the outcome of decision-making.

Michon as a scholar from French political sociology has, for example, published research on assistants to MEPs (2005; 2008; 2014) and stagiers (2004). He has observed that the social capital (i.e. education, social origin, age, gender, political experience etc.) of assistants is important in order to understand them as actors in the European political space. The specific social capital, which gives them access to EU institutions is acquired through the process of socialisation. In such a way socialisation is more than the adoption and internalisation of norms and rules of an organisation (see Checkel, 2005, p. 804), but also the process of becoming members of a specific social class (Georgakakis, 2010a). The British scholar Busby (2013) has also conducted research on the assistants in the EP. By direct observations and other qualitative methods she has observed the every day activities in the EP. Her argument is that by observing the social life in the EP, one can assess the importance of different actors. By looking at who the MEPs' assistants are and what they do, she shows that assistants play an information interface role for the MEP. They serve as gate keepers, filters and tailors of information (see also Busby and Belkacem, 2013; Ripoll-Servent and Busby, 2013).

## 2.2 Staff as Actors in the Political System

In addition to studies in political sociology, some studies have been published in political science as well. The political science research agenda on (legislative) administration is not coordinated in the sense that it does not follow a common theoretical framework as seen in the sociology of political elites.<sup>1</sup> It can be said however that their epistemology is positive in the sense that they engage in hypothesis testing. The focus is on the relationship between members of parliament and staff, the delegation of authority, politicisation and the outcome of individuals' behaviour (for example the extent of involvement in the policy process) rather than the process leading to that outcome (for example individuals habits and surroundings). While political sociologists show why an individual has become an EU official (because of membership in a particular social group), positivists political

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<sup>1</sup>Most of the research in the sociology of political elites is done at Centre for European Political Sociology in Strasbourg, France.

scientists investigate how these individuals act in the policy-process of the EU once they are members of that organisation. In this way political science poses different questions on administration than sociology, because it analyses questions relating to politics and governance, which sociology does not (at least explicitly).

### 2.2.1 Studies in the 1990s and 2000s

Studies published in the 1990s and 2000s are descriptive and theoretically undefined. Rather than building on a comprehensive theory, these studies lean on theoretical concepts that stem from the principal agent model or a classical theory of behaviour, where the agent is an instrument to the principal (e.g. Winzen, 2014). One of the concepts that appears repeatedly is expertise. Information is seen as a key source for non-elected officials (and other providers of information) to exert influence on policy-making. For example, Reck (2003, pp. 45-73) has looked at the role of expertise in the EP. She analyses the internal (i.e. administrative actors in the EP) and external sources (i.e. expertise outside the EP organisation) of information available to MEPs. She comes to the conclusion that internal sources have been slow in adapting to the political changes in the EP. This has created opportunities for interest groups to influence the EP. Neunreither (2003) also studies legislative assistance in the EP regarding the collection and distribution of information. He acknowledges that the sources for legislative assistance have increased since the beginnings of the EP, as the Common Assembly of the European Coal and Steel Community, and that there is now a market of information. At the same time the importance of inside assistance has diminished. In such circumstances the main problem is that information on which MEPs base their decision may be impaired. In order to tackle this problem, both Reck and Neunreither hint to the necessity of reforms to enhance the internal capacities of the EP.

Reform in a broad sense is the subject dealt upon in the works of Priestley (2000) and Kungla (2007). Together with Neunreither's chapter, Priestley and Kungla contribute to our understanding of the administrative reform 'Raising the Game', which was implemented in 2003. Neunreither and Priestley address the problems facing the EP before the reform took place. While Neunreither focuses on the problems related to legislation, Priestley (2000) address the operational problems facing the EP. In his opinion the inefficiencies of the EP's secretariat are related to its many working places and the linguistic diversity within the house. He advocates for a modernisation and rationalisation of the EP's services. While most of his remarks are technical, he also recognises the need for fostering an 'état d'esprit' among the EP's employees. Kungla (2007) specifically addresses the content of the reform 'Raising the Game' and looks at the organisational change in the EP from the perspective of public administration theory. In his view 'Raising the Game' was the result of internal and external forces. Reform was possible, because of the external pressure coming from the treaty modifications and enlargements, while an internal consensus over the need for change had finally matured within the EP.

Camenen (1995), Costa (2003) and Perez (2007) mainly deal with the organisation of the central administration or the secretariat in the EP and ask how autonomous it is vis-à-vis the political authorities in the EP. On the one hand, they acknowledge the importance of the secretariat as a technical service; on the other hand, they conclude that the secretariat is politicised and that it has little leeway for action (Camenen, 1995, pp. 150-153; Costa 2001, pp. 141, 152; Perez, 2007, p. 379). Politicisation in the administrative system of the EP manifests itself as the submission of the secretariat to political groups, which influence the secretariat's organisation.<sup>2</sup> Several instances highlight the politicisation and weakness of the EP's secretariat. For example, since the first direct election the number of political group staff has grown faster than the staff of the general secretariat (Costa, 2001, p. 148). It is also reported that officials act according to partisan preference in order to be promoted (Camenen, 1995, p. 153; Perez, 2007, p. 380). Camenen (1995, pp. 145-147) also argues that the EP's general secretariat exhibits higher level of politicisation than national parliamentary administration. This is in his opinion surprising given the historical circumstances in which the EP's administration developed. Multilingualism, a multitude of administrative traditions, the relative youthfulness of the EP, absence of decision-making powers and the absence of full-time MEPs were favourable conditions for the developments of an autonomous and independent general secretariat. More on the historical development of the EP's administration has been documented by Guerrieri (in particular 2000 and 2012, but also 2008 and 2010). Guerrieri is in particular keen in explaining the set up of the first administrative apparatus of the European Coal and Steel Community and the European Economic Communities. As all the literature described thus far his interests mainly lies in the general secretariat of the EP.

### 2.2.2 Studies in 2010s

**Role Theory and Principal Agent Theory** The latest studies in 2010s show greater theoretical rigour in the direction of agency theory (i.e. principal-agent model) and role theory. For example, Dobbels and Neuhold (2013) and Neuhold and Dobbels (2014) do not solely built on the concept of expertise, but they integrate it in a theoretical approach of policy roles considering the relationship between the principal(s) and the agent. Their theoretical framework builds on research on the delegation of competences in executive bureaucracies. Based on this literature they identify three roles: production, service or maintenance and steering role (Dobbels and Neuhold, 2013, pp. 3-4; Neuhold and Dobbels, 2014, pp. 6-7). The production role means that staff draft briefings and amendments given clear instructions from MEPs (Dobbels and Neuhold, 2013, p. 13). The service role means that staff use their expertise to draft amendments within the limits set by MEP who gives less detailed and rigid instructions. The steering role adds to the service role and includes intervening directly and beyond the instruction of an MEP.

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<sup>2</sup>The influence of political groups, especially the main political groups (Socialists and Christian-Democrats), is corroborated in Kreppel's study (2002) on the amendments to the rules of procedure of the EP, which empowered political groups over the other actors in the EP.

The purpose of Dobbels and Neuhold (2013, p. 13) was to identify the factors that influence the roles of staff and thus the types of tasks MEPs delegate to civil servants. Dobbels and Neuhold based their results on a study of four policy proposals in fisheries and immigration policy. They showed that the relationship between MEPs and staff varies depending on MEPs' expertise, experience or interest. When MEPs possess limited expertise and when they are not politically interested like in the case of fishery policy, civil servants play a steering role. For the case of immigration, they observed that secretariat officials play a service and production role. They prescribed this role to the low level of agreement in the EP and between institutions: when a policy proposal is the subject of conflict, the role of secretariat officials diminishes. In addition, it appears that the scope of action for secretariat officials is larger in consultation files (e.g. fishery and immigration policy), where the EP lacks decision-making powers.

Subsequently, Neuhold and Dobbels (2014) examined the conditions for delegation on another set of policy cases and discovered some new findings compared to Dobbels and Neuhold (2013). They found that expertise does not benefit the involvement of staff, when a policy proposal is politically important and contested between political groups (e.g. single permit directive). Contrary to previous findings, they found that secretariat officials can also play a substantial role in cases of policy proposal which are deemed politically important (e.g. novel foods regulation) (Neuhold and Dobbels, 2014, p. 11). Finally, by studying the adoption of the 2011 annual budget they found out that the budgetary area is a particular case: while the technicality of the dossier on the annual budget benefits the role of secretariat officials, the formalised and multi-policy aspects of the annual budget limits the role of secretariat officials to production (Neuhold and Dobbels, 2014, pp. 13-14). The main argument is that a series of factors determine the extent to which MEPs delegate competence to staff (i.e. importance of policy proposals, the degree of politicised competences and unity in parliament) (Neuhold and Dobbels, 2014, p. 15).

Throughout their investigation Dobbels and Neuhold (2013) and Neuhold and Dobbels (2014) show that the role of secretariat officials depends on MEPs as their principal. This is also the main finding of Winzen (2011). Winzen uses the principal agent model in order to explore the role of officials working in the secretariats of the EP's committees. His study is limited to committees dealing with foreign affairs dossiers (i.e. AFET and INTA) and does not examine any particular policy dossiers. Foreign affairs committees deal mostly with non-legislative reports and decision-making is consensual with only a few contested votes. Given the character of reports in foreign affairs committees Winzen assumed that staff in foreign affairs committees can be importantly involved in the policy-process. Even though less explicit than Dobbels and Neuhold, Winzen (2011, pp. 28, 30) also uses the theoretical concept of roles in the sense of technical and political functions carried out by EP officials. As political work he classified activities that influence the substance of policy outcomes by informing the policy process (e.g. researching policy options, providing expertise) (Winzen, 2011, pp. 30, 33). Technical work is defined as the management of the policy

process, which includes structuring agendas or the organisation of meetings (e.g. booking rooms, taking minutes, preparation of documents for meetings) (Winzen, 2011, pp. 30-33). He concludes that there is no clear-cut between technical and political functions. For example, committee officials have the opportunity to influence future committee priorities by their technical function to prepare the committee agenda (Winzen, 2011, p. 32). His main finding is that independent whether a task is political or technical the extent of civil servants' involvement in the policy process is always determined and conditioned by the political hierarchy in the EP, i.e. MEPs, chairmen, rapporteurs.

While Winzen demonstrates the principal is in control of the agent (i.e. through the delegation of authority the principal controls the agent), Dobbels and Neuhold show that under certain circumstances the agent plays a role that goes beyond the principal's instructions. While Winzen (2011), Dobbels and Neuhold (2013) and Neuhold and Dobbels (2014) all find support for a hierarchy of relationships, Dobbels and Neuhold (2013, p. 13) also conclude that inter-personal relationships can determine the role secretariat officials are delegated. In this way Dobbels and Neuhold show that the relationship between the bureaucrats and politicians in the EP does not reflect the assumption of the classical theory of behaviour, where the agent is the instrument of the principal. They do so when explaining how the political procedure and inter-personal relations are also important variables defining the relationship between MEPs and bureaucrats in addition to expertise, experience and political interest (see Waterman and Meier, 1998, p. 178). The delegation of tasks therefore depends on the relationship between the politician and bureaucrat, but also on the context.

Together these findings importantly contribute to the understanding of the relationship between unelected and elected officials. The importance lays in the discovery that different relationship between legislators and civil servants exist given agency assumptions (see Waterman and Meier, 1998, p. 194). It appears that the bureaucracy of the EP enjoys a certain level of discretion rather than being completely passive or under control. Moreover, the role of bureaucrats does not solely depend on the level of information or interests, but on other variables as well.

**Socialisation** Even though Dobbels and Neuhold do not explicitly say so, their findings imply that the theorised relationships between the principal and the agent cannot explain the role of non-elected officials in its entirety. In other words rational-choice theories can only partially account for the role of administrators in the policy-process. Juncos and Pomorska (2013) have reached a similar conclusion albeit not in the case of the EP, but for officials working in the EU diplomatic service (EEAS). In order to explain diplomats' attitudes towards the EEAS Juncos and Pomorska have combined rational choice and sociological approaches. Since their research was carried out at the beginning of the EEAS establishment, when the careers opportunities in the service were uncertain, Juncos and Pomorska expected EEAS officials to have negative attitudes towards the new service. On the contrary, they discovered that officials nurtured positive attitudes. Their conclusion is

that positive attitudes towards the EEAS cannot solely be explained by utility calculus on career prospects, but also through the degree of ones' identification with the EU. In this way Juncos and Pomorska (2013, p. 1343) draw attention to the concept of socialisation as a possible variable outside the principal-agent model with consequences on behaviour.

Several studies have dealt with the socialisation of European actors (e.g. Scheinman and Feld, 1972; Beyers, 2005; Checkel, 2005; Hooghe, 2005; Lewis, 2005; Sauvarierol et al., 2013). In this literature socialisation is studied as an outcome variable and rarely as the predictor variable as in the case of Juncos and Pomorska. Moreover, only a limited number of studies deal with the socialisation of actors in the EP, and when they do, it is mostly about the members of parliament rather than administrators (e.g. Scully 2005; Beauvallet and Michon 2010). Only Egeberg et al. (2014b) and Michon (2004; 2008; 2014) have investigated the socialisation of non-elected actors in the EP. As already explained before, Michon argues that the social capital of assistants and stagiaires in the EP explains their presence and positions in the EU institutions. The specific social capital which gives them access to EU institutions is acquired through the process socialisation. Similarly to Michon, Egeberg et al. (2014b) researched the effect of nationality, education, future career plans and gender on officials views and consideration at work. They labelled these personal traits as sources of pre-socialisation, which might steer individuals towards specific behaviour even before entering the EP administration. Unlike Michon, they find little evidence supporting the hypothesis that pre-socialisation affects officials' decision-making behaviour in the EP.

**Formal Organisations** Egeberg et al. (2013, 2014a) employed an organisational perspective to examine the behaviour of officials in the EP. This means that they have researched the effects of organisational variables (structures), such as the ideological and sectoral (functional) specialisation of work, on the behaviour of individuals in the EP. Egeberg et al. (2013, p. 510) found by using quantitative data obtained with a survey that officials in the EP are involved in policy-making tasks such as drafting reports; an insight, which corresponds to Winzen's (2011) and Dobbels and Neuhold (2013) argument. Egeberg et al. (2013) discovered that the EP's secretariat and political group staff cherish the European interest above national considerations. In addition, secretariat staff holds sectoral and expert concerns. Group staff in contrast nourish considerations of ideology, pays attention to interests groups and sectoral concerns. The division of considerations fits the theoretical assumption put forward by organisation theory. Both secretariat and group staff are affiliated to a European institution rather than a national one, therefore, they emphasise arguments of European interests. The secretariat is primarily organised sectorally, while political groups are organised ideologically (and sectorally), which explains the differences among them. Furthermore, the considerations expressed by EP staff corresponds to the behavioural patterns of MEPs, but also to the behavioural patterns of officials working in the Council and Commission (Egeberg et al., 2013, pp. 496, 511). They conclude that administrative behaviour, which is shaped by sectoral and ideological cleavages

goes against an intergovernmental logic of inter-institutional order in the EP. In another article Egeberg et al. (2014a) further examine the sectoral, ideological and supranational considerations to conclude that contacts between EP, the Commission and Council are facilitated by their similar organisational specialisation and behavioural patterns. They hypothesize that, since the Council functions on other organisational premises than the EP and Commission, inter-institutional relationship with the Council are less likely. In summary, Egeberg et al. (2013, 2014a) show that the way in which the EP administration is organised affects the role of the EP in its decision-making procedure and inter-institutional relations.

### 2.2.3 EP's Parliamentary Administration in Perspective

That the behaviour of staff depends on a constellation of factors is corroborated by the findings on Congressional staff in the USA. As in the EP, legislative staff in the Congress can affect policy to the extent legislators empower them. Staff's capability to influence increases if politicians are not experts on the topic (Patterson, 1970, p. 28) and when the nature of an issues is technical (DeGregorio, 1994).

Besides examining the relations between staff and members, scholars have also looked at the individual characteristics of officials. Price (1971) assumed that the activity of staff varies given their partisan or professional orientation. Partisan staff continuously seeks opportunities to bring new initiatives and push proposals towards their desired outcome. Professionals, which are defined as non-partisan experts, prefer to react to the needs of members by analysing and objectively presenting policies rather than proactively initiating policies. DeGregorio (1994) discovered that when staff is motivated by loyalty, members are more willing to involve them in the policy process than when they are motivated by personal interests (see also Patterson, 1970, p. 29; Butler, 1966, p. 12). Experience and the characteristics to be anonymous (i.e. to not take a public stance or being associated with a specific policy) also positively influences the involvement of staff in the policy process (DeGregorio, 1994; Patterson, 1970, pp. 29-31). Fox and Hammond (1977, pp. 33, 145-149) have shown how the the role of staff depends also on education, prior experience, organisational milieu, political values, personality and communications patters.

Besides studying the involvement of staff, scholars have analysed also the profile of Congressional staff, their career orientations and professions (Romzek and Utter, 1996; Romzek and Utter, 1997), accountability (Romzek, 2000) and staff turnover (Anderson, 1990; Jensen, 2011). More recently, an increasing number of studies has been published on parliamentary administration in the US and representative bureaucracy (Wilson and Carlos, 2013; Wilson, 2013).



## 2.3 Conclusions

The chapter has reviewed the literature that has been thus far published on the topic of unelected officials in the context of parliaments and the EP/EU in particular. To sum up, the study of administrative players in the EP has attracted attention since the 1990s. Most of the literature in the early days was descriptive and focused on the role of the secretariat of the EP. Systematic and theoretically sound research has begun in 2010s. The review has shown that parliamentary administration has been the object of observations for sociologists, political scientists and historians. As a result, the body of literature is theoretically and methodologically rich. Researchers have paid attention to the process of constituting an elite working for the EP and to roles secretariat officials play in policy-making. However, scholarly contributions are limited to less than twenty publications, which means that none of the aspects has been studied extensively.



## Chapter 3

# Theoretical Approach

This chapter provides an introduction to the theoretical approach that is then applied in the empirical parts of the thesis. Rather than leaning on one theory, the thesis draws on different perspectives to institutions, namely new-institutionalism and organisation theory.<sup>1</sup> New-institutionalism is generally recognised to consist of different analytical approaches (i.e. historical, rational and sociological institutionalism), which overall deal with the creation and change of institutions (Hall and Taylor, 1996). New-institutionalism is itself rooted in organisation theory (Peters, 2005, p. 26). Indeed, organisation theory aims to explain institutional dynamics (e.g. behaviour, decisions, attitudes, beliefs, etc.) by taking into account organisational structures and designs (Simon, 1997; Egeberg, 2004). The thesis relies on these two theoretical approaches, because the purpose is to explain legislative assistance as an institutional design and a type of behaviour. As it will be shown in the subsequent part of this chapter new-institutionalism and organisation theory allow doing just that.

**Defining Institutions** While acknowledging that institutions consist also of normative and cultural elements Simon (1997, p. 2), institutions are in this thesis defined as arrangements, which are explicitly formulated and in place to fulfil a particular organisational task or specific goal (Scott, 2003, pp. 26-27; Blau and Scott, 2003, pp. 3-8, 37; Kiser and Ostrom, 1982, p. 193; Scott, 2014, p. 56). Given this definition, the theoretical approach of the thesis can be described as an institutional take on the instrumental character of organisation, where the main emphasis is on the formal organisation or structure of institutions.

### 3.1 What Theory and For What Purpose?

The review of the literature on the EP's parliamentary administration has shown that legislative assistance, its organisation and participants are all taken as given phenomena. A similar trend is observed for other studies on the internal political (non-administrative)

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<sup>1</sup>The term theory and approach is here used interchangeably. It is considered that institutionalism is not a comprehensive theory, but rather an ensemble of approaches.

organisation of the EP (e.g. committees, working groups, procedures, etc.). In this type of studies the institutional design of an organisation is not addressed directly, but implied through its functioning (Pierson, 2000c, p. 476). The main question that is asked is what are the effects of institutions (Peters, 2005), which means that the main interest is the explanatory power of institutions rather than their explanation.

By contrast, a number of scholars have shown interest also in explaining the choices and design of one type of institutions over others and the way they subsequently develop. The purpose of these studies is not anymore to explain the outcome of institutions, but rather to explain the choice and development of the institution itself. The object of observation is the institution as a process. Several academic articles have addressed the design of institutions in the EU. For example, scholars have studied the case of administrative reforms in the European Commission (Balint et al., 2007), the political structures in the EP (Rittberger, 2005; Gungor, 2008; Bressanelli, 2014) and other cases in the EU (Héritier, 2007; Rasmussen, 2007; Tallberg, 2010; Héritier, 2012). So far, this kind of study has not been done for the case of legislative assistance in the EP. This dissertation is hence the first attempt to do so.

While institutions have been studied as independent *or* dependent variables, rarer are the studies that treat institutions as independent *and* dependent variables. The underlying assumptions for studying institutions as independent and dependent variables is that in order to understand the functioning and effects of an institution, we need to be informed over its institutional design (Shulock, 1998, p. 299, Acharya and Johnston, 2007). Studying institutions as dependent and independent variables is a sizeable task. It involves the theorisation of one phenomenon (e.g. legislative assistance) in two different ways (i.e. design and effect) and then an attempt to explain the interaction between the two dimensions of a phenomenon. While we have fairly good theoretical tools to study institutions as one-dimensional phenomena (i.e. either as designs or effects), scholarly literature has been less capable to identify the interaction between the two (Peters, 2005, p. 150; Acharya and Johnston, 2007, p. 25; Ness and Brechin, 1988, p. 248, Christensen et al., 2007, p. 176).

Given the time and scope of a doctoral dissertation, the present work subscribes to the view that such design issues are important and should not be neglected (Acharya and Johnston, 2007, p. 10). The objective of the present study is to gather knowledge on legislative assistance as an institutional arrangement. The thesis aims to explain the institutional (or organisational) design of legislative assistance and the effects of design onto the behaviour of staff in the EP: How does an institution come to be and how does it influence behaviour? By studying institutions as an outcome and explanatory variable, this dissertation aspires to provide a comprehensive model for the understanding of legislative assistance in the EP. In order to do so, the following chapter sketches theories that explain institutions either as dependent or independent variables. The first part of the chapter provides an overview of approaches to institutional design drawing on new-institutionalism. The second part provides an overview on institutional effects based on organisation theory. The approaches that are presented are then applied in subsequent chapters.

### 3.2 Approaches to Institutional Design

Institutional design is defined as the organisation's plan, structure and mode of operation (Fairtlough, 2008, pp. 1046, 1054). It includes formal (e.g. legal rules and professional requirements, etc.) and informal structures (e.g. shared ideas, beliefs and values among participants) (Acharya and Johnston, 2007, 15; Goodin 1998, 31-4). Studying an institutional design involves investigations over the form, creation, stability, change and decay of institutions. In the exploration of institutional design scholars are in essence interested in the processes that have produced an institution. The effects of institutional design on behaviour are left aside, even if institutions are (purposefully or not) designed to shape or direct the behaviour of individuals, groups of people, organisations, etc.

The design of institutions is notably addressed within the theoretical framework of new-institutionalism (Hall and Taylor, 1996; Peters, 2005). New-institutionalism consists of different theoretical approaches: rational, sociological and historical institutionalism. These approaches provide different arguments as to how institutions are born and change (e.g. by accident, by evolution and/or as the result of purposive actions) (Goodin, 1996, pp. 24-25). In the following section the three approaches are described. The purpose of this review is to lay down the theoretical assumptions of each approach on the formation and change of institutions. This is followed by a discussion on the complementary aspects of new-institutionalists' approaches. The theories are then applied to the EP in Part I.

#### Rational Choice Institutionalism

Rational choice institutionalism conceives the emergence and change of an institution as the result of an interaction (e.g. cooperation or conflict) between actors that are rational. It informs us on how institutions are devised and reformed rather than what specific form they should take. Actors devising an institution make decisions between the available alternatives based on the costs and payoffs associated with each alternative (Shepsle, 1989; Shepsle, 2010). Design follows a 'logic of consequence' and prior preferences (Olsen and March, 1989). The alternative that is chosen is an optimal choice given its maximising utility (North, 1990). Any outcome is rational if it is achieved according to perceived preferences (Pettit, 1996, p. 63). However, interests perception depends on the evidence and information that actors have at their disposal. This is known as bounded rationality (Simon, 1997, p. 72). While the rationality of actors is the most important postulate (Elster, 1986), rational choice theorists have different views on how rational calculations play out and how preferences are formed. Institutions can either be the result of distributive or functional interests (Tsebelis, 1990, p. 92). The form (i.e. functional or distributive) of an institution will depend on the strategies that actors decide to pursue.

**Functional Explanation** When actors seek a solution for a collective problem, they look for a common benefit, which means finding an arrangement that minimises transaction costs (North, 1990; North, 1991). The underlying logic is here to achieve a solution that

is ‘best’ for everyone. The ‘best’ institution in rational choice terms is one that reflects equilibrium, seeks an overall efficiency and allows gains for the collective pool of actors. To gain as a collective, everyone has to sacrifice something. The game that is played is one with a variable sum that is distributed according to mutual benefits. This logic is known as the functional explanation of rational choice and it is arguably the most commonly applied perspective in rational choice institutionalism (Katznelson and Weingast, 2005, p. 15).

A wide literature has used this approach in order to explain the legislative organisation in the American Congress. For example, Cox and McCubbins (1994) studied the institution of majority party in the US House of Representatives, where the majority party is understood as a common good for all party members. While the party limits the behaviour of its members (e.g. controls the agenda through the assignments of committee positions or sets the rules governing the functioning of committees), it serves also as a label through which candidates are recognised in elections and thus elected. Hix et al. (2009) used a similar argument to explain the high levels of voting cohesion within EP political groups. Parliamentary committees are another example of institutions, which provide a common good to both committee and non-committee members (Krehbiel, 1992). Legislators specialise into committees in order to overcome the scarcity of information and to reduce the uncertainty of policy outcomes, which should produce better policy. Several studies provide evidence for an informational logic in the EP on the examples of committee membership and rapporteurship assignments (e.g. Whitaker, 2001; McElroy, 2006; Kaeding, 2004; Yordanova, 2009; Whitaker, 2011; Yordanova, 2013). Decision-making procedures can also be seen as institutions providing collective benefits. For example, Kardasheva (2013) has investigated the adoption of packaged deals between the EP and member states in the Council. She found out that package deals on legislation with budgetary implications allows member states to control the financial aspect of legislation, while the EP gains institutional power in distributive policies. There are several other examples of functional explanations outside legislative studies, which include studies on regional cooperation (Sweet and Sandholtz, 1997; Caporaso, 1998) and international regimes (Keohane, 1984).

**Distributive Explanation** An alternative strategy to seeking functional solutions of equilibrium is for actors to use power for influencing the outcome in the direction of one’s own benefit (Moe, 1987; Knight, 1992; Knight, 1998; Doron and Sened, 2001). At the centre of this strategy are the self-interested individuals. Rather than with functional properties, actors are concerned with the distributional characteristics of an institutional arrangement. Accordingly, actors engage in strategic bargaining where there is a total to be divided, i.e. a zero sum game with winners and losers. One’s loss is another’s gain. Different arrangements have different distributional consequences, which means that actors benefit differently from a solution or cooperation (Stacey and Rittberger, 2003, pp. 864–65). The form of an institution depends on the distribution of leverage among actors, where the ones with the most power impose their preferred solution. This approach is known as distributional rational choice institutionalism. While functional rational choice

institutionalism sees actors as relatively equal and independent, the distributive approach assumes that some actors have more power than others and have thus more influence on institutions (Hall and Taylor, 1996, pp. 952-953).

Employing this approach, Knight (2008) examined the allocation of seats in the American Senate, where each state has two representatives. He found out that the seat distribution gives small population states disproportionate bargaining powers in the distribution of federal funds. Knight (2005) also discovered that members sitting in the committees of the House of Representatives with the power to propose legislation secure projects with higher spending for their constituency than members in other committees. Scholars have shown a distributive logic in committee assignments. Here the argument is that committees with narrow competences and with clear link to particular constituencies are composed of legislators known as preference outliers (Weingast and Marshall, 1988; for the EP e.g. Yordanova 2009; Yordanova 2013 and Kaeding 2004 for the case of rapporteurships).<sup>2</sup> H  ritier (2007) has found a distributive logic in the process of legislative empowerment of the EP. She has described how the EP extended its rights from consultation to cooperation by exploiting its prerogative to delay legislation and the budgetary power.

To sum up, for rational choice institutionalists the creation of an institution is driven by considerations over efficiency, which benefit almost all actors; and/or considerations over distribution, which benefit the interests of one actor or one set of actors over the others. What induces actors to follow one strategy rather than the other? The form of institutions depends on the availability of information (Tsebelis, 1990, p. 246; Koremenos et al., 2001, p. 775). In situation, where there is high uncertainty on what the future holds, an institution is more likely to exhibit functional considerations. In situation of (almost) perfect information there is less uncertainty and institutions are more likely to exhibit distributive properties.

Theories of institutional design are not limited to explaining the mechanisms that devise an institutional arrangement. The interest lies also in discovering how changes happen. According to the functional explanation of rational choice institutionalism an institution changes, when a new problem occurs and disrupts the previously established equilibrium. Change is problem-driven and seeks to restore a situation of collective benefits. The distributional explanation assumes that change occurs when the bargaining power of individual actors alters, which lead them to defect from the institutionalised arrangement and opt for a new solution, which will reflect the new balance of power.

How likely is it for a change to occur? Rational choice institutionalism is flexible in predicting change. Change is seen as a matter of a pay-off matrix in the existing institution (Tsebelis, 1990; Scharpf, 1997). Every time incentives change, an institution is re-designed. This does not automatically imply a constant adaptation to new problems. Change might take a long time to occur, which creates the misleading impression of stability (Tsebelis,

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<sup>2</sup>Note that most of the studies on committee assignments include competitive testing on information and distributive theories. Results show that both theories offer explanations on committee membership and rapporteurship allocation (see Kaeding, 2004; Yordanova, 2009 or Ringe, 2010 for a clear articulation).

1990, p. 103). The reason for slow adaptation is the uncertainty surrounding an institution and the realisation that changing it might be disadvantageous.

### Sociological Institutionalism

Sociological institutionalism is the cultural explanation of institutional development. As rational choice institutionalism, sociological institutionalism defines institutions as the products of human design. However, institutions are not necessarily the outcome of purposive actions or the product of conscious decisions by instrumentally orientated actors (DiMaggio and Powell, 1991, p. 8). According to sociological institutionalism, the form of an institution can be explained through norms and ideas that are perceived as appropriate and legitimate by a collective of actors or population (Olsen and March, 1984; Olsen and March, 1989). Decisions over an institutional design are driven in particular by identity and norms rather than by interests and expected outcomes. Even when interests are taken into account, they are not conceived to be stable or exogenous (March and Olsen, 1998, p. 950). An institution is decoupled from the functional mission of the organisation, even though legitimacy can be based on the supposition that a form is rationally effective (i.e. efficiency is a norm and thus endogenous to the actors) (Meyer and Rowan, 1977; Westphal and Zajac, 1994).

Sociological institutionalism provides explanation on how change happens and at what pace. Change is linked to developments in the organisational environment. Legitimacy rather than functional efficiency is the major driving force of change. If and when change occurs, it is evolutionary rather than revolutionary. Therefore, rather than a theory of change, sociological institutionalism is a theory of adaptation (Buchko, 1994). As explained by Greenwood and Hinings (1996, p. 1023) sociological institutionalism is a theory of change insofar it explains change that is convergent rather than radical. Institutional arrangements endure because they are taken for granted (DiMaggio and Powell, 1991, pp. 19-20) or endorsed by several organisations and thus legitimate (Meyer and Rowan, 1977). Institutions adapt in order to obtain legitimacy. Nonetheless, sociological institutionalism assumes that institutions are stable even when the environment welcomes change (March and Olsen, 1998, p. 955). In this way, sociological institutionalism provides clues on why there are institutions, which are inefficient (Hall and Taylor, 1996, p. 953): institutions persist, because they are grounded in the perceptions over legitimacy rather than in efficiency concerns (i.e. decoupling).

The power of sociological institutionalism is in the explanation of the similarities (also isomorphism or mimesis) and stability in an organisational field. The organisational field is defined as a set of organisations, which make up ‘a recognised area of institutional life’ (DiMaggio and Powell, 1983, p. 148).<sup>3</sup> Isomorphism is the homogenisation and convergence of organisational forms, i.e. an institutional arrangement. In this respect it is a key process throughout which ideas, which are seen as legitimate are shared and diffused among

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<sup>3</sup>This study is about the legislature as an organisational field.



organisations that constitute a common field. Isomorphism can be understood also as the result of actions based on a ‘logic of appropriateness’, i.e. the ‘rules and routines that define appropriate action in terms of relations between roles and situations’ (Olsen and March, 1989, p. 160).

### **Historical Institutionalism**

Historical institutionalism is the approach based on the legacy of the past (Peters, 2005, p. 63). To explain institutional design, historical institutionalism emphasises the role of history in determining preferences and shaping outcomes (Steinmo and Thelen, 1998, p. 7). This means that the impact of institutions is mediated by the historical context (Thelen, 2002, p. 94). The basic assumption is that preferences are historical products. Hence, historical developments influence the choice that people make. Following this reasoning, historical institutionalists argue that institutions cannot be explained solely based on assumptions over the rationality of actors and the functionality of institutions (Pierson, 2000c, p. 477). In addition, one must consider how preferences have been induced in specific times and places. Rationality is therefore context specific. As Pierson describes it, institutions are not just a question of what, but also of when (Pierson, 2000b).

Yet, historical institutionalism has several points in common with rational choice institutionalism (Thelen, 1999; Katznelson and Weingast, 2005). Namely, both assume that preferences affect institutions. The main difference between the two is in their understanding of preferences’ formation. While rational choice institutionalists take preferences as exogenous to the institution, historical institutionalists treat them as endogenous. Rational choice institutionalists understand preferences as stable and transcendent to a particular time or space. On the contrary, historical institutionalists spend their time uncovering the formation of preferences. While rational choice institutionalism uses a micro model to understand the creation and change of an institution, historical institutionalist considers the macro environment (similarly to sociological institutionalists). Moreover, according to historical institutionalism, preferences, and thus institutions, are not necessarily affected by interests only, but also by values. In this sense, historical institutionalism has commonalities with sociological institutionalism: behaviour is not necessarily driven by self-interest, but also by rules that are established and seen to be legitimate (Thelen, 1999, p. 371).

How does change happen? For historical institutionalists, change is the result of a temporal process. There are rare moments in history, known as critical junctures, which provide opportunities for institutional change (Collier and Collier, 2002). These moments situate an institution on a specific (critical) path, which is then difficult to alter. Historical institutionalism assumes that choices made in the beginning of an institution have a lock-in effect over all future choices: what one does today depend on what one did yesterday (Pierson, 2000a). This is known as the argument of path dependency. The lock-in effect implies that (major) changes are unlikely to occur, because initial institutional decisions are self-reinforcing (and restrain the choice over alternative designs). Consequently, change

is never drastic but evolutionary and dependent on the initially chosen path. As a result, it is more accurate to talk about institutional evolution than institutional change (Peters, 2005; Thelen, 1999, p. 371). By bringing up path-dependence, historical institutionalism applies a similar logic as sociological institutionalism, where the form of an institution is influenced by institutional templates (Hall and Taylor, 1996, p. 954).

### 3.2.1 Seeking Complementaries

Rational, sociological and historical institutionalism are schools of thought, which explain a political phenomenon on the basis of institutions. They all apply a logic of action, that is either driven by consequences of appropriate behaviour, self-interest or values and; they distinguish on the importance of historical context (March and Olsen, 1998). Each of these approaches has its strengths and weaknesses.

In dealing with human intentionality, rational choice institutionalism has provided precise micro-model conceptions on how institutions affect behaviour. Since preferences are exogenous to the model, rational choice institutionalism is less perspicacious in predicting change in (anomalous) situations where preferences are ambiguous, not interest-motivated and/or where it is difficult to identify all the involved actors. In these cases historical and sociological institutionalism might provide more insightful explanations. The added value of historical institutionalism is its consideration of large time horizons to provide information on the formation of preferences. In this respect, historical institutionalism is more successful in discerning preferences, because it takes into account the historical context.

However, adding context means that an empirical problem is dealt upon given specific (contextual) conditions, which sacrifices the potential for generalisation.<sup>4</sup> On the contrary, generalisation based on equilibrium models is one of the strengths of rational choice institutionalism. Although, the degree of details means that rational choice institutionalism has limited explanatory power of empirical problems or events occurring in real life. Similarly to historical institutionalism, sociological institutionalism adopts a macro model. Instead of history or interests, sociological institutionalism explains preference through culture, shared understandings and norms. The problem of sociological institutionalism is that, when investigating an empirical problem it can overemphasises the cultural environment to the extent that it overlooks the conflict between individuals (Hall and Taylor 1996, p. 954; Hallett and Ventresca, 2006).

In response to these interrelated aspects, several scholars have pointed out that the approaches of new-institutionalism are complementary (Peters, 2005, p. 2; Thelen, 2002, p. 96; Pollack, 2001; Ostrom, 1991, Hall and Taylor, 1996, p. 955, Stacey and Rittberger, 2003, p. 868, Goodin, 1996, p. 19, Aspinwall and Schneider 2000). Given the fact that none of these approaches can explain an empirical problem alone, several scholars advocate for theoretical dialogue (e.g. Ostrom, 1991; March and Olsen, 1998; Aspinwall and Schneider,

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<sup>4</sup>This is a deliberate choice in historical institutionalism, which is surpassed by comparative case studies (Thelen 2002, pp. 94-95; Aspinwall and Schneider 2000, pp. 24-25).

2000; Jupille et al., 2003; Rittberger, 2003; Tallberg, 2010). Hall and Taylor (1996, p. 955) note that:

[...] each of these literatures seems to reveal different and genuine dimensions of human behaviour and of the effects institutions can have on behaviour. None of these literature appears to be wrong-headed or substantially untrue. More often, each seems to be providing a partial account of the forces at work in a given situation or capturing different dimensions of human action [...].

As described by March and Olsen (1998, p. 952) theoretical dialogue is needed, because humans make decision in consideration of both their interests and identities. The design of an institution is therefore driven by what is appropriate and in consideration of the consequences. Decisions are made in complex situation where many different concerns must be attended to (Christensen et al., 2007, p. 166). Theoretical dialogue means that a research design draws on different types of theories to complement or combine their strengths and counterbalance their weaknesses, i.e. exploiting theories' comparative explanatory advantages as autonomous theoretical constraints (Tallberg, 2010, p. 638; Christensen et al., 2007, p. 184). Theoretical dialogue is not an attempt to synthesise theories into a super model, but a way to recognise the added values of separate theories. Jupille et al. (2003, pp. 19-24; see also Rittberger 2005 and Tallberg 2010, pp. 637-638) have identified four theoretical models of dialogue: competitive testing, domains of application, sequencing and incorporation. Competitive testing involves the assessment of explanatory powers of competing hypotheses for an empirical problem to identify the single most important explanation. Domain of application and sequencing are models that seek the additive explanatory power of theories. In the domain of application different theories are used to explain different substantive parts of a broader phenomenon. This implies that each theory has its own scope or domain of application. On the contrary, sequencing means looking at the temporal complementarities of theories, where different theories explain different phases of a process. Incorporation means that a theory is used as a subset to another theory in order to arrive at the greater explanatory powers.

What kind of research design and theoretical approach are best to apply depends in part on the theory and in part on the empirical problem. Sociological institutionalism is considered to be particularly useful at explaining the form of an institution (Tallberg, 2010, p. 638; H  ritier, 2007, p. 10; Stacey and Rittberger, 2003, p. 864). It is considered less suitable to explain how and why changes occur (Finnemore, 1996, p. 339), where logics pertaining to rational choice institutionalism are more insightful. Historical institutionalism is equipped to explain the pace and form of an institution, but it is less insightful on how institutions emerge or affect behaviour (Hall and Taylor, 1996, p. 950). Depending on the empirical problem, it has been suggested that when identities and norms are clear, but the implications of preferences or expected consequences are not, then the logic of appropriateness prevails (March and Olsen, 1998). Similarly, when information and power are relatively symmetrically distributed then ideas and norms prevail (Katznelson

and Weingast, 2005).

### 3.3 The Effects of Organisation on Behaviour: Organisation Theory

Organisation theory is a theory on behaviour. Its aim is to explain and understand the causes of behaviour in structurally developed organisations by taking into account the structure and design of organisations (Pfeffer, 1997, p. 25; Christensen, 2012, p. 150). This includes organisational characteristics such as personnel, technology, structure and the environment. As a study, it involves the observation of characteristics that are formal (i.e. regulated in the organisation) and informal (i.e. unregulated characteristics and day-to-day practices).

There are different perspectives in organisation theory depending on which organisational characteristics are observed and believed to affect behaviour in the most significant way. Scholars have observed formal structures (e.g. working units, legal status), demographic characteristics or informal structures (e.g. education, gender, ethnicity) and contingency factors (e.g. size). Depending on how behaviour is operationalised (e.g. considerations, attitudes, understandings, activities, etc.) empirical testing has demonstrated that formal organisational structures explain the behaviour of individual to a larger extent than informal structures (e.g. Child 1973; Baker and Cullen 1993; Egeberg 1999; Jacobsen 2006; Egeberg 2007; Trondal 2011).

In the field of legislatures, organisation theory has been applied since the late 1960s and mostly in the case of the US Congress (e.g. Cooper, 1971; Hedlund, 1984). Organisation theory, or at least some of its features, has also been applied to study of EP. Some examples include the study of legislative organisation (e.g. committee, parliamentary groups, specialisation in committees and parliamentary groups, etc., e.g. Bowler and Farrell, 1995; McElroy, 2006; Whitaker, 2011; Bressanelli, 2014), rules of the game (e.g. formal rules and informal norms on decision-making, e.g. Kreppel, 2002; Farrell and H  ritier, 2004; Gungor, 2008) and most recently the organisation of staff (e.g. Egeberg et al., 2013). Studies on legislatures, which aim to explain behaviour, emphasise organisational characteristics and thus differ from studies, where the emphasis is on rational calculus and cost-benefit analysis (e.g. re-election calculus).

This dissertation studies the formal organisational structures determining the organisation of legislative staff in the EP. The question that is addressed is to what extent formal organisational structures determine the behaviour of individuals as members of an organisation (Egeberg, 2004, p. 200). The objective is to understand the effect of organisational structure in order to know how behaviour can be changed. This implies an instrumental view on organisations, where formal structures are in place to meet organisational goals: how things are done affects what is done. An instrumental perspective also means that formal organisational structures are understood as mechanisms, which channel behaviour

in certain directions, thereby creating patterns of behaviour.

### 3.3.1 Formal Organisational Structures

Formal organisational structures (i.e. organisational structures, formal structures or formal norms) are defined as the rules that specify who shall do what and how regarding the allocation of tasks, responsibilities and authority in a given organisation. As such, they determine the boundaries of individual action. Formal structures are enshrined in formal documents such as staff regulations, contracts, job descriptions, codes of conduct, constitutional codes, rules of procedures, etc. (e.g. Scott, 2003, pp. 26-27; Meyer and Rowan, 1977, pp. 341-342; Egeberg, 2012, p. 157; Galbraith, 1987). They consist of different structural components, which describe the complexity, formalisation, centralisation and configuration of the organisation (e.g. the units and subunits, the arrangement among units such as autonomy or hierarchy). Goals are broken down into tasks, which are grouped into departments or units. The ensemble of departments makes up the form of an organisations (i.e. organisational structures) to fulfil its function in the environment.

When studying organisational structures the initial assumption is that formal organisational structures determine the behaviour of the members of an organisation. How formal structures determine behaviour was firstly described by Weber through his notion of authority, which creates a system of legitimate control through legal norms (Weber, 1958; see also Blau and Scott 2003, p. 30). Organisation structures are constituted through the process of vertical and horizontal specialisation.

**Vertical Specialisation** Vertical specialisation refers to the level of authority from which an official receives orders. The function of vertical specialisation is to avoid a situation where an official is subject to the instructions of more than one superior, which can create confusion and inefficiency (Gulick, 1937, p. 9; Simon, 1997, p. 31). The purpose of vertical organisation is to make administrative action more predictable (Page, 1992, p. 63). Hierarchy is the most persistent mode of organisation, which consists of a vertical rank ordered system of superiors and subordinates. It establishes a relation among the members of an organisation by establishing an unequal distribution of power, privileges, tasks and duties. There is ample evidence in history that people obey authority as soon as they become part of an organisational hierarchy (see Diefenbach, 2013, p. 11).

**Horizontal Specialisation** Rather than the organisation of work under different levels of authority, horizontal specialisation implies an organisation based on activities and functions. The most famous horizontal principles of specialisation are process, client, purpose and location (Gulick, 1937, p. 16). Specialisation by purpose brings together all of those who are at work to render a particular service. For example, a school employs teachers, administrators, janitors, cleaners for the overall purpose of educating pupils. Specialisation by process brings together members of a profession. For example, the department of infrastructure employs engineers that deal with roads, railways and naval

infrastructure. Specialisation by clientele brings together people who are working with a given group of persons or a given set of things. For example, a department store consists of food, furniture, clothing and other departments to serve the consumer. Specialisation by place brings together all of those who work in a limited area, such as the colonial government, where the local departments act as representatives of the central department. These types of specialisation are not mutually exclusive and in reality coexist, because they are in place to meet different organisational goals.

### 3.3.2 The Effect of Formal Organisational Structures

The underlying mechanisms to understand why and how formal structures affect behaviour draws heavily on the work of Herbert Simon (1997), who is considered the pioneer scholar in administrative decision-making behaviour. Simon developed a theory of administrative behaviour as a critique of the model based on an all-knowing individual who seeks ways to maximise self-interest (Scott, 2003, p. 10). In Simon's view, economic rationality cannot explain human behaviour completely, because individuals are cognitively limited and living in an environment where complete information is unavailable, i.e. bounded rationality (Simon, 1997, p. 72; March and Simon, 1993). As individuals cannot assess all the alternatives to make decisions, it is the role of organisations to limit the scope of decisions through formally devised structures. Following this logic, Simon was the first in linking the bounded rationality of individuals with the features of organisational structures (Scott, 2014, p. 29).

The basic assumption leading the study of organisational structures is that once individual decides to participate in an organisation, their behaviour starts to be framed by the organisation (Fry, 1989). Through its structures, the organisation takes from individuals *some* of their decisional autonomy to replace it with the logic of the organisation. This happens through organisational structures, which supply officials with the *value premises of decisions*, i.e. goals, ends or objectives of the organisation on what ought to be achieved (Simon, 1997; Blau and Scott, 2003, p. 37). Therefore, formal structures affect the behaviour of individuals by limiting or expanding the opportunities of choice (Fry, 1989; Barnard, 1938).

Organisation theory allows theorising the properties of a structure. This is different compared to economic models of full rationality, where the study of behaviour is based on the *relationship* between the principal and agent. As explained by Mitnick (1992, p. 81): 'There is more to organisational life than choice under risk and uncertainty,' and that '[...] we need to face up to the fact that we are dealing with organisations, not superior-subordinate dyads' (Mitnick, 1991 in Waterman and Meier, 1998, p. 178). Assumptions over the relationship between the principal and the agent cannot account for behaviour alone, because of the externalities that condition this relationship. When conducting research under assumption of economic rationality, the influence of a structure is excluded (Waterman and Meier, 1998). For example, what interferes with the relationship between

the politician and the civil servant is not only the asymmetry of information and the divergence (or consensus) of goals, but also structures or the characteristics of the organisation. The challenge lies in controlling different variables (i.e. the relationship and the structure) at once. Organisation theory is about controlling for structures and investigating how to *design* structures so that the agent does not bypass the principal.

### Formal Structures and Informal Structures

Since the objective of organisation theory is to understand behaviour rather than only the effect of formal structures, it is important to control for other explanatory variables when possible (Pfeffer, 1997, p. 25). Therefore, an organisational approach does not concern itself only with the formal structure, but with the organisational context more in general. Organisations are composed of formal and informal structures. While an instrumental perspective focuses on the formal properties of organisation, a cultural perspective looks into the informal norms of organisations. Selznick (1948) was the first to argue that formal structures are only one aspect of organisational life and that organisational life depends also on informal structures (Blau and Scott 2003, pp. 30, 38). Organisations are profoundly influenced by ‘hard’ regulation and ‘soft’ concepts that provide meaning to participants (Fairtlough, 2008, p. 1046). Formal structures are patterned with the wider environment, so that the actual functioning of a structure is only loosely coupled with its formal design.

Besides formal internal rules, organisations have a physical location, they are composed of people with different backgrounds and can develop their own organisational culture. These are all organisational variables, which can be summarised as organisational demography, locus and institutionalisation (Egeberg, 1994). Together they constitute the informal norms and values, which are acquired either through the daily work in the organisations or as members of the wider society. In order to understand the behaviour in an organisation we need to ‘unpack’ these basic organisational characteristics within which individuals interact (Egeberg, 2004, p. 201). The concept of informal structures is theoretically close to political sociology, where the context of organisational behaviour is not just the organisation, but life in the wider society.

**Demography** Demography refers to the personal characteristics that an individual brings into the organisation such as age, sex, nationality, education, etc. (Pfeffer, 1997, p. 83). Demographic characteristics are sources of pre-socialised behaviour, i.e. norms and values that have not been acquired in the socialisation period of the organisation, but rather some time before that. They are examples on how norms of behaviour are constituted exogenously from the organisation and outside the control of the organisation’s principals. According to Lawrence (1997), individual attributes generally fit into three categories: attributes that describe immutable characteristics such as age, gender, and ethnicity; attributes that describe individuals’ relationships with organisations, such as organisational tenure; and attributes that identify individuals’ positions within society, such as marital status. These characteristics form the organisational composition of an organisation. The

cultural explanation of behaviour assumes that demography affects individual's behaviour in organisation, i.e. as the demography of an organisation changes so does the organisation.

**Locus** Organisational locus or location refers to the physical dimensions on where an institution is placed. Whether two departments are physically close or far is supposed to affect the organisation, as it can reduce or increase face-to-face contact and co-ordination. The organisational locus is empirically under-researched, but empirically simple to operationalize. Organisational locus or location refers to the physical dimensions on where an institution is placed and the place-specific context (Kuus, 2011; Egeberg, 2004, p. 203).

**Institutionalisation** Institutionalisation refers to the process throughout which rules and procedures of an organisation are impregnated with value (Selznick, 1948). When invoking institutionalisation one refers to all the practices that are unwritten, but observed by the members of an organisation (e.g. organisational culture. Institutionalisation occurs, because human behaviour is dependent on the social and cultural environment of an organisation (see Christensen et al., 2007, p. 37). Once a rule is institutionalised its purpose goes beyond instrumentality. Institutionalisation is related to socialisation, when the latter is defined as the ability of an organisation to induce its agents into its institutional environment of norms and values (Checkel, 2005, p. 804). As a concept it is not related to the socialisation into formal structures and roles, because informal norms are constituted exogenously from the actors in the organisation. Before the socialisation of actors into norms can begin, an organisation needs to first become an institution. Therefore, from the start institutionalisation is never the result of socialisation. Empirically it is difficult to measure the extent to which an organisation is institutionalised.

### 3.4 Conclusion

This chapter has theorised the design of formal structures and the effect of formal structures on the behaviour of people that are members of an organisation. What are the parallels between institutional theory and the study of organisations? Both institutional theory and organisation theory observe an outcome. Theories of institutional design study the organisation (its form, design, arrangement), organisation theory looks at behaviour as the product of design. Different perspectives in institutional design and organisation theory consider elements of rationality, culture and history. It has been suggested that organisational structures can be the result of purposive rational action, cultural circumstances and/or historical context. An instrumental perspective on organisation theory resonates with rational choice institutionalism. The standard approach in rational choice institutionalism is the principal-agent model of delegation: a principal authorises an agent to act on its behalf and reserves the right to rescind the agent's authority in case of ineffectiveness or misconduct. The purpose of organisation theory is to see how structural attributes contribute to the accomplishment of goals based on how organisations are formally shaped.



Organisational structures as informal norms can also be understood in a sociological sense. When this is the case organisation theory resonated with sociological institutionalism. In the following part of the thesis organisation theory is employed following the rational of behaviour.

In Parts I and II the approaches, which were overviewed here are applied to the case of the EP. Two different outcomes are studied. The first one is the institutional design of legislative assistance in the EP. The second one is the behavioural consequence resulting from the institutional design chosen for the legislative assistance of the EP. The institutional design for legislative assistance is therefore theorised first as a dependent variable (i.e. design) and second as independent variable (i.e. effect).



## Chapter 4

# Data and Methods

This chapter describes the collection of data and methods of analysis. In order to analyse the phenomenon of legislative assistance in the EP, the study follows a mixed method research design in three phases.

### 4.1 Data Collection

The set up of the research design was primarily driven by the fact that legislative assistance is an under-researched topic. For this reason the first phase of the study consisted of an exploratory phase where preliminary semi-structured interviews with respondents from the observed population were carried out. The purpose of the preliminary interviews was to identify tasks pertaining to legislative assistance, to develop and implement a quantitative instrument, such as the survey. Based on these interviews, the second phase involved collecting data with a survey administered among the staff in the EP. Together these two datasets, one qualitative and the other on quantitative, are the basis for testing Hypothesis 4. In the third phase another round of semi-structured interviews was conducted. The interviews of the third phase differed from the ones of the first. While in the first phase interviews addressed the current aspects of assisting MEPs in legislation, the third phase asked respondents how assisting MEPs has changed over time. The ensemble of all the interviews constitute a qualitative dataset, which is used to test Hypotheses 1, 2(a,b) and 3(a,b,c). In addition to the original qualitative and quantitative data, the study builds on primary and secondary resources. The collection and processing of data has been registered with the National Commission for Data Protection of the Grand Duchy of Luxembourg.

#### 4.1.1 Qualitative Data

##### 4.1.1.1 Preliminary Interviews (May to September 2012)

Interviews were conducted with secretariat officials, political group advisors and MEP assistants. Speaking with individuals with the direct experience of working in the EP allowed identifying the most common tasks they perform. Besides detailing their profes-

Table 4.1: First Phase Interviews: Respondents' Profiles

Profile	Number
APA	2
APA → Administrator	1
Political Group Advisor (Lower Ranks)	1
Political Group Advisor → Secretariat Administrator	2
Secretariat Administrator (Lower Ranks)	3
Secretariat Directors or Secretary Generals	4
Secretariat SNE	1
Total	14

Note: The arrow indicates mobility from one profession to the other

sional background, respondents were asked to describe their job and the type of tasks they do. The interviews took place either in Brussels or Luxembourg between May and December 2012 (seventh parliamentary term). Overall 14 interviews were carried out. Four of the interviews were conducted in Luxembourg, the remaining ten in Brussels. All the interviews were transcribed. The interviews covered seven different professional profiles as summarised in Table 4.1.

#### 4.1.1.2 Interviews (September to November 2013)

The purpose of the second round of interviews was to collect data to explore the historical evolution of legislative services in the EP. Twelve interviews were conducted in Brussels, one in Luxembourg and one in Oxford. Table 4.2 summarises the profiles of the respondents. The interviewed accredited parliamentary assistants (APAS) have been working in the EP for at least two parliamentary terms. All the other interviewees have been working for the EP for more than eight years and two of them were retired. All of the interviews were transcribed. Interviews were semi-structured and included questions such as: How has your job changed over time? How has the working relationship with MEPs developed over time? What has in your opinion affected your job since you started working in the EP?

Table 4.2: Second Phase Interviews: Respondents' Profiles

Profile	Number
APA	2
Political Group Advisor (Lower Ranks)	1
Political Group Advisor → Secretariat Administrator (Higher Ranks)	1
Political Group Advisor (Higher Ranks and Secretary General)	4
Secretariat Administrator (Middle Ranks)	2
Secretariat Administrator (Lower Ranks)	1
Secretariat Directors	3
Total	14

Note: The arrow indicates mobility from one profession to the other

### 4.1.2 Quantitative Data: Survey

The tasks that were identified with preliminary interviews were then included as answer options in a survey. The survey asked EP staff to rate on an ordinal scale from one to five (i.e. never, rarely, sometimes, regularly and very often) how often they do the thirteen tasks while working on a legislative proposal. An open-end option was added, where respondents were able to describe any other tasks they might be involved with. Appendix A provides a copy of the survey.

#### 4.1.2.1 Estimating the Population

Determining the population of legislative staff in the EP is not a simple task due to the existence of different staff categories and employment regulations. The EP does not formally distinguish between legislative and non-legislative staff. For these reasons, the estimation of the population was conducted in the absence of a good sampling frame (Vaus, 2002, p. 71). The result is an approximate rather than an exact number of the legislative staff population. The approximation is based on the available statistics on the staff in the EP as a whole.

In 2013, the total number of staff working in the EP was 8 308: 5 602 employees worked in the EP's secretariat, 1 016 in political groups and 1 690 in MEPs' offices located in Brussels (Annual Budget, 2013 and EP website). Not all of these employees were employed in the EP for the purpose of assisting MEPs on legislative issues. In fact, less than half of the employees in the secretariat (2 595) and two fifths of the employees in political groups (415) belonged to the so-called AD category, which is responsible for legislative assistance. Even though translators and interpreters are also AD employees, they are excluded from the studied population on the assumption that they are not assigned legislative tasks or work directly with MEPs. There is no current available data on how many administrators in the secretariat are translators or interpreters, but the establishment plan for 2004 shows that in that specific year there were 619 AD officials in the secretariat who were *not* linguists. From secondary resources it is known that the group of administrators working on legislative files in committees is less than 500 individuals, and that the number of political group advisors has always been lower than the number of committee administrators (Neunreither, 2003). Statistics published by DG Personnel also show that as of 2013 the targeted administrative units in the survey (IPOL, EXPO, Presidency) employed a total of 616 AD staffers (European Parliament, 2013f). Based on these information, it was assumed that in 2013 the targeted population comprised approximately 2 700 people. The largest group consisted of APAs, followed by administrators in the secretariat and political advisors.

#### 4.1.2.2 Sampling

In order to ensure that the sample is representative, a random sampling method similar to the stratified sampling method was employed (Vaus, 2002, p. 74). When a good sampling frame is not available, as in this study, stratifying sampling assures more representative and

accurate samples compared to simple random sampling. The procedure involved selecting a stratifying variable and then determining the sample size based on the separate categories of the stratifying variables.

**First Criterion** In this study, the sample was drawn based on the horizontal (functional) specialisation of staff, where a distinction is made given the administrative affiliation of staff within the EP. This meant that employees were selected given their affiliation to the EP's central secretariat, political groups or MEPs' personal offices. The affiliation-based specialisation of staff was selected as the stratifying variable, because based on organisation theory, behaviour was expected to vary the most on this specific variable (Vaus, 2002, p. 81). However, not all administrators, political advisors and APAs work on legislative issues. For this reasons two additional sampling criteria were implemented.

**Second Criterion** The first additional criterion distinguished between administrator (AD) and assistant (AST) employees, where only the former were eligible to participate.<sup>1</sup> The main difference between the AD and AST category of staff is the level of education. While AD staff are required to have a university degree, AST staff can be engaged with a secondary diploma (Staff Regulations, 2013, Article 5). Among the AD employees the ones performing a linguistic function (i.e. translation and interpretation tasks) were excluded.

**Third Criterion** The second additional criterion targeted individuals who hold a position involving work in committees. As already specified in the introduction, committees are the most important venues where legislation is shaped. In order to identify the services that are related to committees, I have collected the organisation organigram for the EP's secretariat and political groups. Based on organisational charts, preliminary interviews and secondary resources I determined that the relevant committee services in the EP include committee secretariats, policy departments, delegations secretariats, research units and the legal service. Whether a potential participant belonged to one of the above mentioned category was determined by looking at the website of the EP and political groups, official directories and committee minutes.

The EPP and S&D have a similar division of work to the EP secretariat, but less elaborated. In these cases I was able to select respondents working on legislation based on the information available on their websites. For smaller groups this was not possible, because they do not have an extensively developed organisation chart. The lack on information on the specific tasks of political advisors for certain groups was not treated as problem. For example, even when a political advisor is mainly responsible for press and communication, he or she will also be involved in other group activities as well. This is true for the biggest political groups and also for smaller groups, where a high degree of specialisation is not

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<sup>1</sup>In 2013, when the survey was prepared and administered, only the AD and AST staff categories existed. A new staff regulation entered into force in 2014 (Regulation 1023), which introduced a third category. The new category, named AST/SC, introduced additional levels of responsibility in the AST category.

possible (Interview R, 2013). Assistance to national delegations is sometimes organised on a voluntary basis and in certain cases even AST employees in political groups do legislative work (Interview ZB, 2013).

Table 4.3: Sampling Criteria

Sampling criteria	
1	Affiliation in the EP Administrators, Political advisors, APAs
2	AD/AST and Linguists/Non-linguists Only AD which are not linguists
3	Committee services Committee secretariats, legal services, research service etc.

#### 4.1.2.3 Problems

The first and second criteria were straightforward to implement. Although incomplete and disorganised, the data on who is an administrator in the secretariat, advisor in a political group or APA is available on the EP's and political groups' websites. Whether an employee belongs to the AD category is formally defined in the Staff Regulations of the EP. However, the AD-AST division only applies to administrators in the EP secretariat and political advisors in political groups (CEOS, see Title II, Article 15). Assistants to MEPs are not ranked into AST and AD categories, because their employment is governed by Title VII of the CEOS. The organisation of assistants' work varies depending on the MEP employing them. MEPs can employ up to three full time accredited assistants. It is also known that an AD employee in the secretariat or political group has to have at least a Bachelor degree. Due to the lack of information on the type of education and the kind of work assistants are required to do, the entire population of accredited assistants was eligible to participate in the study.

**Control Question** Given the problems mentioned above and in order to avoid including individuals, which are not involved in legislation, the survey included a question asking the respondents whether they followed the work of at least one committee. All the respondents including administrators and political advisors were asked this question. However, the committee question was primarily for APAs. While for administrators and political advisors I was able to employ other criteria to determine their involvement in legislation, this was not possible for APAs due to the lack of information on how MEPs organise their offices. Whether individual APAs qualified as legislative staff was determined ex post to the implementation of the survey.

#### 4.1.2.4 Procedure

The survey was sent to 2 293 email addresses out of the approximate population of 2 700 people. The email addresses were found on the websites of the EP, political groups websites, in the online and print versions of the Official Directory of the EU. The survey

was active from February to March 2013. Two reminders were sent. Table 4.4 reports the number of email recipients, the number of respondents and the final response rate, which equals to 19.83 per cent or 391 responses.

Table 4.4: Response Rate

Category	Recipients	Respondents	Response rate
Secretariat	431	127*	29.50 %
Accredited assistants	1 437	192**	13.0 %
Political groups			
ALDE	47	7	15.00 %
ECR	41	5	12.00 %
EFD	38	6	16.00 %
EPP	99	9	9.00 %
Greens/EFA	47	19	40.00 %
GUE/NGL	41	5	12.00 %
NA	17	2	12.00 %
S&D	95	11	12.00 %
Unknown		7	
Total	425	71***	17.00 %
Total	2 293	391	19.83 %

Notes:

\* This figure includes 72 staff in committee secretariats, 11 legal service staff, 21 policy department staff, 8 delegation staff, 2 other staff that reported to follow at least one committee, but are not employed in a committee secretariat and 12 other staff.

\*\* This figure includes 192 accredited assistants that reported to follow at least one committee.

\*\*\* This figure includes 61 political group advisors that reported to follow at least one committee and 6 political group advisors that reported the opposite. Five political group advisors did not answer the question on whether they follow at least one committee.

#### 4.1.2.5 Outcome

**Representativeness** The sample matches the characteristics of the population in several regards. APAs ( $N = 192$ ) are the most represented in the population and in the sample; they are followed by administrators ( $N = 127$ ) and political advisors ( $N = 72$ ). In the sample there are overall more men (54 per cent) than women (46 per cent). Only in the category of APAs are there more women (55 per cent) than men (45 per cent), which is also true for the population. The ratio between men and women in the secretariat and political groups is 3:2, which is valid for the population in political groups. The population ratio of men and women in the secretariat is equal, but it includes more administrative units than the sample. In terms of citizenship, the sample mirrors the population to a great extent. The top three most represented countries in the population (Germany, France



and Italy) are also the top three in the sample. Citizens from the EU-15 countries (i.e. member state before 2004) are more numerous than citizens from young member states (i.e. member states after 2004). In the sample of administrators, 80 per cent of them have citizenship from one of the EU-15 member states, while 20 per cent hold citizenship from one of the young member states, which is a 10 per cent variation compared to the population. Citizens from young member states tend to occupy lower ranks than citizens from old member states in the population and the sample. The average age of the population in the secretariat is 45 years old, while it is 43 in the sample. The average age for assistants is 34 and for advisors 42 years old. Women and citizens from new member states are younger than men and citizens from old member states in both the population and the sample. Finally, at the time of the survey the majority of respondents worked in the EP on a full-time basis, while only two per cent of them worked part-time. Given these basic characteristics, the sample was deemed representative of the population.

**(Sub) Sample Size** The size or the number of observations in the sample and subsamples is important for the reliability of analysis results. Text books specify different minimum requirements for using statistical analysis. Most researchers suggest using a minimum of 30 (Salkind, 2004; Pett, 1997), other consider a minimum of between 10 and 20 (Warner, 2008). The total number of observations in the sample is 392. The smallest subsamples on which comparison is done count between 30 and 40 observations. All the other subsamples have more than 50 observations. Given the number of observation, the sub-sample sizes were not treated as a problem.

## 4.2 Methods

Because the study builds on both qualitative and quantitative data, a variety of methods were used.

### 4.2.1 Analysing Qualitative Data

**Content Analysis** All the interviews were transcribed, coded and analysed using the open source software TAMSAalyzer. These codes described a professional profile: advisors, negotiator, drafter, communicator, researcher or informer etc. Some of these codes were further broken down. For example, when respondents reported to advise MEPs, they was asked on what topic they advise (e.g. procedures, legal questions, politics and policy or vote). While very important for the overall functioning of the EP, some of the tasks that were identified in the coding phase (e.g. translating and public relations activities) were left out from the final selection, because they were deemed inconsequential for legislative assistance as defined in this study. This meant that legislative staff in the EP performs also duties which are not strictly related to committee work. The final selection included the following tasks: giving advice on different issues (policy, procedure, law and vote), as-

sisting in negotiations either with political groups or EU institutions, coordinating MEPs positions, contributing with ideas and drafting document.

#### 4.2.1.1 Analysing Quantitative Data

**Descriptive Statistics and Chi-Squared Contingency Tables** Survey responses on the frequency of tasks were first analysed at an individual/item level, using contingency tables (also referred to as cross-tabulation) to provide a first impression. The results using this method are presented in Table 10.2. For the purpose of the analysis the ordinal five-point scale was recoded into a three level scale (never/rarely, sometimes and regularly/very often). The significance of the relationships was determined with the Chi-Squared statistic. When the independent variables were nominal, the strength of the relationship was estimated using the Cramér's V measure of association. A relationship was determined to be weak when Cramér's V was less than 0.2 and moderate when Cramér's V ranged between 0.2 and 0.4. When the independent variables were ordinal, the strength and form of the relationship was estimated using the Kendall's tau-b ( $\tau_b$ ). A relationship was considered weak when the absolute values of Kendall's  $\tau_b$  ranged between  $\pm 0.05$  and  $\pm 0.20$  and moderate when the absolute values of Kendall's  $\tau_b$  ranged between  $\pm 0.20$  and  $\pm 0.40$ . Given the ordinal nature of the dependent variables, other tests than the Chi-Squared could have been used, such as the non-parametric Wilcoxon-Mann-Whitney rank sum test and Kruskal-Wallis test of the median (Corder and Foreman, 1972). The Chi-Squared test is here used because it works for both ordinal and nominal independent variables whether they have two groups or more. In addition, the purpose of cross-tabulations was to investigate the data and to provide a first impression, for which cross-tabulation meets the purpose. Finally, ordinal logistic regression could have been applied to measure the likelihood in cases where dependent variables were individual tasks. Since the individual tasks were then converted into an interval scale variable, linear regression analysis was used to determine the effect of the independent variable.

**Principal Component Analysis** Following the analysis using contingency tables a principal component factor analysis (PCA) was carried out. The purpose of PCA is to develop a scale or measure where a limited number of items, consisting of one dimension, represent the core of a set of items (Acock, 2012, p. 334). It is a statistical procedure for exploratory purposes. It is used under the argument that a set of items measures one concept. Hence, PCA develops a measure for a concept.

In this study, PCA included thirteen variables measuring the frequency with which individual tasks are performed. In order to take into account for the most of the frequency differences, the ordinal five-level scale was used. Following PCA, legislative assistance was defined as a scale composed of the following items: offering political or voting advice, contributing to policy ideas, preparing amendments and reports, participating in the negotiations with political groups, coordinating MEPs' positions and preparing voting lists.

All these tasks were included in the construction of an interval scale variable measuring the frequency of involvement in legislative assistance.

**Regression Analysis** Multiple linear regression models were used to test the hypothesised relationships. Several other factors that can simultaneously affect the dependent variable were controlled for. Linear regression was used on the interval dependent variable, which was developed with PCA. In order to test for multicollinearity, the variance inflation factor (VIF) was calculated. None of the regression models that are reported in this dissertation has a colinearity problem.



## Part I

# The Design of Legislative Assistance: Form, Origin & Change



## Chapter 5

# The Form of Legislative Assistance in the EP

This chapter is about the form (also design or organisation) of legislative assistance in parliament. It precedes the chapter exploring the origin of legislative assistance at the time of the ECSC Common Assembly, since it introduces and describes the basic forms of legislative assistance. The first part discusses legislative assistance by comparing the organisation of the British, American, French and German legislatures. The second part of the chapter turns to the case of the EP and provides evidence for Hypothesis 1. The exploration of legislative staff in the UK, USA, France and Germany reveals that: 1) democratic parliaments employ staff providing legislative assistance; and that 2) legislative staff consist of at least three different sub-categories or administrative structures: the central administration or the own-administration of the parliament; the personal staff of members of parliament (MPs), which are recruited by members of parliament; and the leadership staff or group staff of the parties, which are represented in parliament. The comparison of state-legislatures with the EP shows that in most aspects the organisation of legislative assistance in the EP resembles the one in state-parliaments, while other aspects are exclusive to the EP.

### 5.1 Theory Application

**Sociological Institutionalism** Drawing from the literature on the history of the EP (e.g. Kreppel 2002; Rittberger 2005; Priestley 2008; European Parliament 2009a), it is safe to say the EP has changed in a significant way from its beginning as the Common Assembly of the European Coal and Steel Community (ECSC) and later on as the Parliamentary Assembly of the European Communities (EEC). From an appointed body consisting of representatives selected from national parliaments, the EP developed into a directly elected parliament with veto power in several policy areas, which today include even the policy areas in the so called ‘third pillar’ of the European Community.

In particular from the 1970s onwards, the EP began to acquire prerogatives similar to

the ones of national legislatures, such as powers over the budget and the selection of representatives through direct elections. From obtaining budgetary powers (1970s), to direct elections (1979) and further legislative powers (1980s to 2000s), the EP has developed into a policy-influencing legislature, which can modify, reject and even propose laws via its right of initiative (Norton, 1994; Norton, 2003; Kreppel, 2006). This evolution means that the EP has steadily acquired prerogatives similar to a state-legislature, i.e. the EP underwent parliamentarisation or the institutionalisation of representative democracy (Rittberger, 2005). Therefore, it is rare in today's literature to find an analysis that compares the EP to an international parliamentary assembly (Rittberger, 2005; Rittberger, 2012; Kreppel, 2006; for an exception see Cofelice and Stavridis, 2014). For this reason, the following chapter explores the form of legislative assistance in the EP based on the institutional design that is found in state-parliaments. The hypothesis is:

Hypothesis 1: The form of legislative assistance in the EP is organised according to the form of state-legislatures.

The assumption draws on sociological institutionalism as presented in Section 3.2. The EP is expected to comply with administrative practices and formal structures that are taken for granted as a parliament. According to sociological institutionalism, a unit (i.e. EP) in the population (i.e. parliaments) starts to resemble other units that face the same set of environmental conditions (Hawley 1968 in DiMaggio and Powell, 1991, p. 149). This is known as the 'isomorphic explanation', where organisations tend towards a homogenous design. Isomorphism implies that the organisation of legislative assistance in the EP is decoupled from its mission (Meyer and Rowan, 1977; Westphal and Zajac, 1994).

**Functional Rational Choice Institutionalism** On the opposite, the functional explanation of rational choice institutionalism portrays the mission or goal of an organisation as the most important factor. Functional rational choice institutionalism assumes that the design of legislative assistance in the EP strives towards the most efficient form independently on whether the organisation at hand is a parliament or not. While in sociological institutionalism the design is decoupled from the EP mission as a parliament, in the functional explanation of rational choice institutionalism the organisation is decoupled from the environment or the system of organisation (i.e. organisational field, DiMaggio and Powell 1983, p. 148) the EP operates in (i.e. parliament).

**Distributive Rational Choice Institutionalism** Distributive rational choice institutionalism represents another option to the isomorphic explanation. A distributive explanation of legislative assistance in the EP looks at the distribution of administrative resources among the actors in the EP. These actors (e.g. political groups, their leaders, MEPs, etc.) are autonomous and seek to increase their leverage by pulling administrative resources towards their personal benefit. In contrast to functionalism, benefits are not mutual. Consequently, the expectation would be that the administrative resources in parliament are



unevenly distributed. The distributive logic has been observed in the case of amendments to the Rules of Procedure of the EP, where a series of new rules benefitted political groups over individual MEPs and larger political groups (especially S&D and EPP) over smaller political groups (Kreppel, 2002). Following this finding, a distributive logic in the organisation of legislative assistance would manifest itself through the empowerment of political groups. For instance, it can be expected that political groups have relatively more human resources than individual MEPs. Camenen (1995) and Costa (2003) have assumed that since the general secretariat has historically been the only permanent actor, it is likely to be better developed than political group secretariats. The evidence they collected shows the opposite, which leads to the expectation that political groups are relatively strong administrative actors compared to the general secretariat and APAs.

**Why Sociological Institutionalism?** To sum up, the design of legislative assistance is investigated given the premises of sociological institutionalism. This choice is made on the assumption that parliamentarisation has been the most important development in the EP. Therefore, the study seeks evidence for a parliamentary organisation. There are clear scopes for applying the functional and distributive approaches of rational choice institutionalism. However, this is not the choice of the dissertation, due to two reasons. First, the EP has throughout its history sought to obtain legislative powers rather than to conform to the function of an inter-parliamentary assembly, which here stands for the functional form. Second, for cases on administration politics information on power politics is scarce and incomplete, since conflict is hidden from the public. While there might be evidence for power imbalances, it is difficult to research them systematically. Therefore, the choice is to focus on sociological institutionalism as the theoretically and methodologically most viable option.

## 5.2 Legislative Assistance in State-Legislatures

The purpose of this first part of the chapter is to determine the typical form of legislative assistance in state-legislatures. In this dissertation a state-legislature refers to any chamber of parliament that operates in a system of representative democracy in a modern Westphalian state. In order to determine the form of legislative assistance in state-legislatures, an inductive approach is adopted, where different legislatures are compared.

**Case Selection** The considered parliaments are the German *Bundestag*, the French *Assemblée nationale*, the British House of Commons and the American Congress (Senate and House of Representatives). The cases were selected based on administrative traditions and the legislative process in each parliament. The cases of Germany, France and the UK were chosen because studies of public administration have shown that the form of the European Commission has taken up elements of the German, French and British system (Page, 1997, p. 33). For example, the civil service of the EU is regulated with an extensive

legal framework, which includes hierarchical bureaucratic structures, such as the ones in France or Germany. In line with the UK model, the EU system provides for flexibility based on administrative handbooks and code of conducts, which are easier to modify than laws. The main reason for selecting the US Congress is its political resemblance to the EP in terms of a strong committee system. In this respect, the three European legislatures are also relevant. In line with the EP and US Congress, the German *Bundestag* processes legislation in committees. The German *Bundestag* is also considered the most powerful legislature in Europe (Aberbach et al. 1981, p. 231; Beyme, 1998). Relatively to committees, the chamber takes an important role in the British House of Commons and in the French National Assembly. The French parliament is considered to have a weak impact on the government's legislation. It is assumed that the organisation of legislative assistance will differ given the importance of the committee or the chamber. On a final note, the American, British, German and French parliaments are the best-staffed parliaments and the ones on which most information is available.<sup>1</sup> Given the diversity of these four parliaments, a review of administrative support should give a broad picture on the administrative organisation of parliament in general. The comparison is based on primary and secondary literature resources.

### 5.2.1 Central Administration

The central administration is the permanent administrative organ responsible for the daily operations of parliament. It can be referred to also as the institutional administration, because it serves the parliament as an institution and independently from parliament's political composition. A big share of human resources in the central administrations is usually allocated to administrative services, which aid members in their managerial or non-legislative activities. When it comes to legislative services, the central administration is in charge of maintaining the registry of parliament, recording the chamber and committee proceedings, distributing documents, advising members on parliamentary procedures and legal issues.

**Statute** It is common for the employees in European central administrations, or at least a part of them, to have the same status as government officials, or to benefit from similar working conditions. The existence of different working conditions between parliamentary and executive administrations is in line with the doctrine of the separation of powers. Different statuses for government (e.g. the Crown's civil service in the case of the UK) and parliamentary officials can be found in France and in the United Kingdom. Distinct statuses are justified by the need for parliaments to have their own source of information in order to remain independent from governments. As a result, independence and autonomy from government are essential characteristics of French and British systems (Campbell

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<sup>1</sup>Comparative information is available in European Parliament (2000), *Annuaire européen d'administration publique* (2007) and in the IPU's report 'The changing nature of parliamentary representation' (2012).

and Laporte, 1981; Ryle, 1981; Perez, 2007). In Germany, the parliamentary civil service is covered by the same legal framework as the federal administration. According to Schramm (1965 in Blischke, 1981, p. 525) this stimulates expertise and mobility between parliamentary and executive services. In Europe, it is common to recruit parliamentary officials through competitions as a way to ensure a professional and politically neutral service. In the US, the staff of the central administration consist of public employees, who do not, however, benefit from a special status, because they are mainly engaged in non-legislative and, thus, politically non-sensitive issues. On the contrary, the recruitment of committee staff is to a great extent in the hands of individual members of Congress, committee chairs and party leadership. Especially the recruitment of legislative staff is done on the basis of being at the right place at the right time and by ways of personal network (Fox and Hammond, 1977).

**Legislative Assistance** As already mentioned, in the US Congress the central administration mainly provides non-legislative support. Only a small proportion of offices offers legislative services such as the Legislative Counsel (drafting service), the Parliamentarian (procedural advice), the General Counsel (legal advice) and units with the House Clerk and Senate Secretary which record the parliament proceedings and take care of the distribution of documents, etc. (Schneider and Koempel, 2012, pp. 122-123, 142-144). In contrast to European legislative service, the heads of these departments are elected - and not appointed - officials. While Congress provides committees and individual members with staff, it has been reluctant to establish a central drafting service (Rogers, 1941).

In Europe on the contrary, the central administrations of parliaments are at the core of both the managerial and legislative activities of parliament. The fundamental difference between Congressional and European systems is therefore the extent to which legislative services for committees and members are centralised. For the purpose of legislative assistance the British House of Commons has set up a 'Directorate for the Chamber and Committees'. This directorate includes offices assisting select and public committees in the scrutiny of government and in the detailed consideration of bills (House of Commons, 2012; Rogers and Walters, 2006). A separate unit is in charge for assisting members in the financial scrutiny of the government. Parliamentary diplomacy is facilitated by the Overseas Office, which provides secretariats for delegations and international assemblies. Together these offices have a staff of 360 individuals (Rogers and Walters, 2006, p. 62).

A similar administrative organisation is found in the German *Bundestag*, where a general directorate (Parliament and Members Directorate-General P) is composed of three directorates: Parliamentary Services (PD), Services for Members (PM) and Committees (PA) (Linn and Sobolewski, 2010, pp. 134-137; German Bundestag, 2014). In terms of legislative assistance, Directorate PA is the most important, since it staffs all the twenty-two committee secretariats of the *Bundestag*. The employees of committee secretariats provide administrative, organisational, technical assistance and policy expertise. They are directly responsible to the committee chairperson. Directorate PD services the plenary,

the governing bodies (e.g. the Council of Elders) and it includes the Law Research Service. Directorate PA is in charge of administrative issues such as remuneration, staff salaries, and party financing. It is not known how many civil servants work in these legislation specific departments, but overall the *Bundestag* spends 111 million euros for the employment of around 2 500 civil servants (Linn and Sobolewski, 2010, pp. 131, 133; see also European Parliament, 2000).

The secretariat of the French National Assembly is also split between administrative and legislative services. About half of all the employees of the central administration work in legislative services, where they are in charge of supporting committees and delegations. Overall, the French legislative services have a workforce of 174 administrators from a total of 1 349 civil servants and additional 100 contractors. The legislative services were reformed in 2006 and organised into what is known as the ‘six operational poles’: legal affairs, cultural and social questions, economics and scientific assessment, public finances, European affairs, international affairs and defence (Assemblée nationale, 2013, pp. 475-478). Each of these departments staffs at least a committee secretariat and includes a study and monitoring unit. A department known as the ‘Table Office’ is responsible for plenary issues and it includes a Law Unit.

The Congressional system of legislative assistance is different from the one seen in the House of Commons, the *Bundestag* and the French National Assembly, since committee assistance is decentralised from the Congressional central administration. In the US Congress committees act as entities that hire staff. For this reason, recruitment practices differ from committee to committee and between the Senate and the House. Each Congressional committee has its own budget, which is prepared by the Chairman and submitted for approval to the House Committee on House Administration or the Senate Committee on Rules and Administration. The Chairman has the right to hire and dismiss staff. Until the 1970s, the Chairman exercised a great degree of freedom in doing so. This can be problematic, since all the chairmanships in the US Congress are held by majority members, which can thus completely control the staff in committees. Today, an informal rule commands that the minority in the committee must be treated fairly, which means that a third of the total funds allocated to a committee is expected to be granted to the minority party (Schneider and Koempel, 2012). As a result each committee includes a majority and minority committee staff, which are led by two distinct staff directors. Only a few committees have a common non-partisan staff. The staffing and financing of subcommittees is not automatic and it depends on the committee chairmen to which subcommittees are affiliated. While the first committee staff were recruited already in 1865, the current system of permanent and professional staff for each committee was set up in 1946 at the time of the Legislative Reorganisation Act. Today the Senate and the House employ around 4 900 committee staff (Schneider and Koempel, 2012, p. 131). They perform a series of tasks, which are very similar to the ones of committee staff in Europe, such as drafting legislation, planning hearings, writing committee reports and conducting investigations. Congressional committee staff are more likely to provide political advice, because of the

way they are recruited. Since the central administration of Congress is weak, committee staff are also likely to advise members on procedures and to provide other basic services, which are, in European parliaments, taken care of by the central administration.

**Research** Research resources are organised differently across the surveyed parliaments (Dietrich-Schulz, 2008). Some parliaments have organised a research service (RS) consisting of units dealing with distinct policy areas. A RS can either be part of the central administration or organised into a separate agency. It can form a separate unit or be integrated into the library. Research can also be organised horizontally, which means that different functions (i.e. research, committee support, legal support, etc.) are merged in a policy field. Except for the US Congress, the bicameral parliaments of France, the UK and Germany have separate research departments.

The best-staffed RS in Europe is found in the German *Bundestag* (Directorate Research Services WD). The German RS deals with MPs' individual inquiries on topics that are relevant at the federal level. The work is divided into eleven sections, which together comprise a staff of approximately 60 researchers (Linn and Sobolewski, 2010, p. 137). Part of the studies are made available to the public via the *Bundestag's* website. In addition to the RS, the *Bundestag* also includes one of the largest parliamentary libraries in the world.

The French National Assembly has had a separate RS (known as the Research and Assessment Department) until 2005. This department included also the Parliamentary Office for Scientific and Technological Assessment (i.e. a joint service of the Senate and National Assembly, which was set up in 1983). The French RS produced studies on the request of individual MPs. In 2006, the research services were reformed from a vertical to a horizontal structure, where committee secretariats and research services were organised under the same roof given the policy area. For example, the Legal Affairs Department consists of a unit staffing the committee in legal affairs, but also a study unit, which is responsible for research in the legal affairs area. De facto, the French National Assembly does not have an integrated RS service, since research is scattered across different departments. In addition to the study and monitoring units, the National Assembly also has a library, which qualifies as one of the best libraries in France.

Similarly to France, the House of Commons does not have a separate RS. It is the Library of the House of Commons that undertakes research activities. The library has a staff comprising 60 researchers working in eight policy sections (House of Commons, 2012, p. 65). The House of Commons has had a library since 1818, while a research department was set up in 1946. The only clients that are allowed to request studies from the library are individual members of parliament.

The most famous research service is probably the US Congressional Research Service (CRS), established already in 1916. The CRS is not, however, part of the Congressional central administration, but operates as a legislative agency within the Library of Congress. The overall number of staff in the Congressional Research Service amounts to 850 employees, 420 of which are policy analysts and research professionals (Strom, 2009). More than

100 million dollars per year are spent for the functioning of the Congressional Research Service, almost 90 per cent of the budget is spent for staff salaries (Congressional Research Service, 2012, p. 28).

Research services operate as non-partisan services, which are generally set up to serve the parliament as their only client. Their main duty is to provide support to members of parliament with objective information. As described by an employee of the Congressional RS (quoted in Tolchin, 1984): '[The Congressional RS] is a place to stand back and take a look at what's going on. It's the place where you come as close to finding all sides of an issue.' The House of Commons RS holds the same reputation. As described by Rogers and Walters (2006, p. 63): 'When a member says in the Chamber "the Library have told me", what they have said is unlikely to be challenged.' Both in the American and British systems, there is also an emphasis on the confidential relationship between the member and RS, whose staff are not to disclose any information about the work undertaken for individual members. In the USA, it is up to the members to make the CRS reports publicly available. As a result, the reports of the CRS are not freely available to the public. This has caused uproar from some non-profit groups, who claim that the CRS reports should be made public, since they are financed with public money and are often the basis for legislation (Strom, 2009). As of 2014, Wikileaks and other groups have published over 10.000 CRS reports, which are otherwise inaccessible to the public by law.

**Heads of Parliamentary Administrations** The last characteristics of central administration that requires attention is the parliament's head of service, which can hold different titles, such as the Secretary General (Germany and France) or the Clerk or Secretary (the USA and UK). Heads of the central parliamentary administration are recruited either by appointment or election. The French *Assemblée nationale* is headed by two secretary generals (one of the Assembly and Presidency, who oversees the legislative services and the other of the *Questure*, who deals with administrative and financial questions). The Bureau of the Assembly appoints both and together they head a common service (*Assemblée nationale*, 2013, pp. 445-446). The British Clerk is similarly appointed, but by the Crown. While in France and the UK the heads of the central administrations are permanent officers, in other countries they are elected officers for either one legislative term (e.g. Germany) or an unlimited time (American House Clerk and Senate Secretary) (European Parliament, 2000; Rogers and Walters, 2006; Schneider and Koempel, 2012; House of Representatives, 2011; US Senate, 2013). In most of the cases it is not unusual for the heads of administration to have devoted their entire career to the parliament and once they become heads of the services they qualify as the most senior officers. As such, they supervise day-to-day operation. They are responsible for keeping the minutes and records of the parliament and for providing all non-partisan services in support of the legislative process. In general, European administrative systems tend to emphasise political neutrality more than the USA (Page, 1992). This means that European systems lean closer to the Weberian model of bureaucracy than the American system.

### 5.2.2 Political Group Staff

Political group staff (also ‘group staff’ or ‘political advisors’) refers to individuals, who are recruited by parliamentary parties in order to aid their members. The US Congress has a decentralised way of financing group staff. This means that political groups (i.e. majority/minority parliamentary group) do not have the authority to hire staff as it is the case in several European parliaments. Entities that can hire staff in the US Congress are committees, the leadership and members (Petersen, 2008, p. 2). There is no separation between committee and group legislative staff. For this reason we cannot speak about group staff in the Congress, but only about the majority and minority staff. Many officials that are employed in committees and especially those employed in the leadership offices tend to have a strong political affiliation (European Parliament, 2000, p. 226).

The British House of Commons has put in place a specific grant (i.e. short money), which is available for opposition parties only. The purpose of the allowance is to help the opposition carry out its parliamentary duties. Most of the money is spent on research support for frontbenchers, spokesmen, assistance in the whips’ offices and staff for the opposition leader (Kelly, 2011, p. 4). In 2011/12, a total amount of 6.5 million pounds of short money was allocated to opposition parties.

In France and Germany, all parliamentary parties are eligible for a grant from the parliament’s budget. The grant is used to set up group secretariats and hire staff. In France, parliamentary groups do not have the legal authority to employ staff and therefore they do not act as formal employers. In place of political groups, there is an association consisting of chairmen of the political groups, which is registered as the employer. However, this is merely a formality. In the German case, political groups employ a total of 800 staff, which are responsible for providing administrative assistance and policy advice (Linn and Sobolewski, 2010, pp. 132-133). Overall, parliamentary groups receive around 75 million euros from the *Bundestag*’s budget for their expenditures. In France, the central administration helps political groups to manage their administrative affairs, while the groups themselves employ around 100 assistants for legislative assistance only (situation for the XIII legislature (2007-2012) *Assemblée nationale*, 2013, pp. 513-514).

Party staffing is probably one of the most distinct character among European and American legislative systems. Political groups in the US Congress do not have hiring authority. In fact, recruiting power is in the hands of individual members. Each political party elects its own party secretary (i.e. Secretary of the minority and majority), who is selected among the party partisan staff. The role of party secretaries is to aid the party leaders when members of parliament meet or caucus together. They mainly assist leadership positions. The situation is a reflection of parties’ weak position vis-à-vis the individual members and office holders (e.g. whip, majority leader etc.). On the contrary, in selected European countries, such as Germany, parties have been traditionally strong. This strength is manifested also in their capability to recruit staff. Due to the strong position of political groups, individual office holders do not need specific assistance. For

example, the political groups in the German *Bundestag* are expected to take a unanimous stance (Linn and Sobolewski, 2010, p. 11). There is no general need to continuously seek support for individual bills as in the case of the US Congress. Therefore, there is less scope of action for a whip or committee coordinator's staff.

What becomes evident from the description above is that in majoritarian systems, such as the USA and the UK, the opposition requires special attention and assistance, due to the dominant position of the majority. In the proportional system the coalition and opposition parties are given similar privileges. Disregarding the political system, the groups and members of the governing party(ies) will always have an information and staff advantage compared to the opposition, because the governing party controls the executive administration.

### 5.2.3 Personal Staff of the Members of Parliament

The four parliaments surveyed for this study grant their members a staff allowance. The purpose of these funds from the parliament's budget is to allow members of parliament to employ a number of assistants. The job of an assistant is not a nine to five job, it requires long hours and weekend work. The duration of the job is linked to the term of the member. For these reasons, the individuals who take up the job of personal assistants tend to be young, recent university graduates who have little prior job experience.

The activities of personal staff vary between and within different parliaments. The job of assistants depends on their abilities and the needs of a MP. A study of the EP, which compared the situation of members' personal staff in fifteen member states of the EU, defined assistants as 'persons who provide to members, in the exercise of their mandate, personal assistance distinct from that provided by the services and the officials of the parliament' (European Parliament, 1997, p. 5). It can be said that the role of a personal assistant is to help MPs to carry out their responsibilities as elected official. This includes secretarial tasks (e.g. keeping a diary with appointments, answering the telephone, arranging meetings, etc.), legislative tasks (e.g. monitoring legislation, assisting members in committees and the chamber, meeting interest groups, providing representation within the political group, speech-writing, drafting, etc.) and activities related to the representation of a constituency (e.g. answering constituents mail, keep contact with the community, etc.).

This dissertation looks at legislative staff and, therefore, only personal staff, which are responsible to assist members in committee and plenary activities (i.e. legislation and scrutiny rather than the representation function) are treated. It has to be said however that MPs spend a significant part of their allowance to set up local offices in home constituencies (IPU, 2012). In both the UK and France, two thirds of the personal assistants are based in local offices, while the remaining one third is based in *Westminster* and *Palais de Bourbon* (Rogers and Walters, 2006, pp. 65-67; Assemblée nationale, 2013, p. 518). In Germany, the proportion between constituency and *Reichstag* staff is even (German Bundestag, 2012,



p. 131). Legislative staff in personal offices tends to be highly educated. Whether personal staff is partisan or not varies per member, but in the UK for example it is not unusual to find staff that does not identify with their member's political views.

Congress members are prime examples of how many resources are invested in recruiting personal staff and in keeping contacts with constituents. Studies on the Congress have identified up to fourteen different positions that can be taken up by personal staff: the administrator assistant (AA) is the chief of staff and the main political advisor to the member; the district director has a similar function to the AA but in the constituency; the legislative director (LD) is the most senior legislative assistant; the legislative assistant (LA) drafts legislation and amendments; the legislative correspondent takes care of communications; the case worker helps constituents (e.g. such as veterans, private companies, etc.) to solve their problems with the federal government or to apply for grants or subsidies; the press secretary and assistants take care of the media and act as chief spokespersons; and finally a web master, an office manager and a scheduler carry out secretarial and other duties (Schneider and Koempel, 2012, pp. 130-31, Petersen, 2008, p. 4).

There are differences between the House and Senate. Senators are given two different personnel allowances. The administrative and clerical allowance varies with the population of the state that a Senator represents and its distance from Washington (Schneider and Koempel, 2012, pp. 122-123). This allowance, which in 2011 varied between 2.5 and 4.0 million dollars, covers Capitol and state staff. A Senator can employ between 30-50 people (Schneider and Koempel, 2012, p. 128). In addition, all the Senators benefit from a legislative assistance allowance of 500 thousands dollars to hire three legislative assistants for committee work. House members benefit from a representational allowance (MRE). The greatest part of this allowance, more than 60 per cent (897 thousands dollars in 2011), goes to staff salaries (Schneider and Koempel, 2012, pp. 119-120). The MRE allows House representatives to employ a maximum of eighteen permanent and four additional temporary staff in Washington or in the district. Together, Senators and the House Representatives employ more than 14 000 personal staff.

The European allowances are less generous than the ones of the US Congress. The most empowered MPs are the ones in the *Bundestag*, which have an allowance of 14 712 euros per month (German Bundestag, 2012, p. 131). German MPs employ around 4 500 assistants, many of them work part-time.

France allocates to its MPs a parliamentary staff allowance of 9 138 euros (Assemblée nationale, 2013, p. 516). The allowance is calculated on the basis of three assistants, but it can cover up to five people. If members do not use their respective allowance, the money is either returned to the budget of the *Assemblée* or MPs can donate the money to their political group in order to cover the salaries of those employees engaged by the group. Members of the National Assembly benefit from a secretarial allowance since 1953. In 1968, a secretarial allowance was introduced, whereas MPs could chose between establishing a personal secretariat or a collective secretariat with other MPs. The staff allowance was introduced in 1975. In addition to the parliamentary staff allowance, MPs receive also an

office expense allowance of 6 412 euros.

In the UK, the allowance amounts to around 7 000 pounds (Rogers and Walters, 2006, pp. 65-67). Members can employ up to three full-time assistants. Through the Independent Parliamentary Standards Authority, the UK has in place one of the most transparent databases on how MPs' spend their allowances. Based on this database, the average annual cost for assistants' payroll per MP amounted to 120 000 pounds (data for 2013/2014). Overall, British MPs employ around 1 800 assistants between Westminster and constituencies. In the UK, MPs' employees are required to report revenues from other gainful occupations.

In all these cases, it is a member of parliament that is the employer and not the institution of parliament. As a result, MPs are the ones in charge of the recruitment, working conditions and salaries. The status of personal assistants is determined by private law.

### 5.3 Legislative Assistance in the EP

The purpose of the second part of this chapter is to describe the legislative system of the EP. Subsequently, inferences are drawn between the state-legislatures presented in the first part and the EP. Some of the description for the EP goes beyond the information presented for state-legislatures. This is particularly true for political group staff, since the chapter deals with differences between EP's parliamentary groups.

The assumption is that nowadays the EP has the status of a legislature. For this reason, it is expected that the design of legislative assistance in EP is similar to the system described in the previous section. Given the similarities of the EP with the US Congress and the *Bundestag* in terms of a strong committee structure (Kreppel, 2006; Bowler and Farrell, 1995, p. 227), it is expected that the EP is likely to invest significant staff resources for its activities. The data builds on secondary literature, but also on the author's interviews, especially for the description of political advisors and accredited parliamentary assistants for which information is scarce.

#### 5.3.1 Central Administration: Secretariat of the EP

The general secretariat (also known as 'secretariat') is the central and permanent administrative body of the EP. Similarly to other European parliaments and in contrast to the US Congress, the EP's central administration is an important source of administrative and legislative assistance for its members of parliament. The secretariat's main role is to enable the functioning of EP's committees and political bodies by providing services such as technical support, coordination of legislative work, organisation of plenary settings and meetings, translation, interpretation and other services related to everyday operations (European Parliament, 2011a). In order to meet its duties, the secretariat of the EP is organised in thirteen Directorate-Generals (DGs) and a legal service. The majority of the DGs are dedicated to the day-to-day management of the EP (infrastructure, logistics,

technological support, accountancy, human resources and security). Three DGs (Internal Policies (DG IPOL), External Policies (DG EXPO) and Research Services (DG EPRS) are fully dedicated to the assistance of members in legislative business, while only part of the subunits in DG Presidency (Directorate for Legislative Acts and the Directorate for the Plenary) and part of the Legal Service (Directorate for Institutional and Parliamentary Affairs, Directorate for Legislative Affairs) are responsible for legislative assistance. This organisation is very similar to the one in Germany and to a lesser extent to the one in France and the UK.

The majority of the individuals employed in the secretariat are permanent officials and hold the status of European civil servants. Similarly to the situation in Germany, the conditions of employment are not regulated per institution, but for the EU civil service as a whole.<sup>2</sup> Therefore, officials working for the EP are covered by the same rules as those in the Commission or Council. Such legal framework facilitates mobility between services, as officials can apply for any job at any EU institution covered by the Staff Regulations.

Officials working for the secretariat of the EP can either carry out administrator (AD), assistant (AST) or secretaries/clerks (AST/SC) functions (Staff Regulations, 2013, Article 5).<sup>3</sup> The main distinction between these function groups is the level of education, where AD employees are recruited with a higher level of education (at least a Bachelor degree) than AST and AST/SC employees (at least a high school diploma). The AST and AST/SC employees, who comprise more than half of the permanent staff in the central administration, are not considered in this dissertation because of the secretarial level of their jobs.<sup>4</sup>

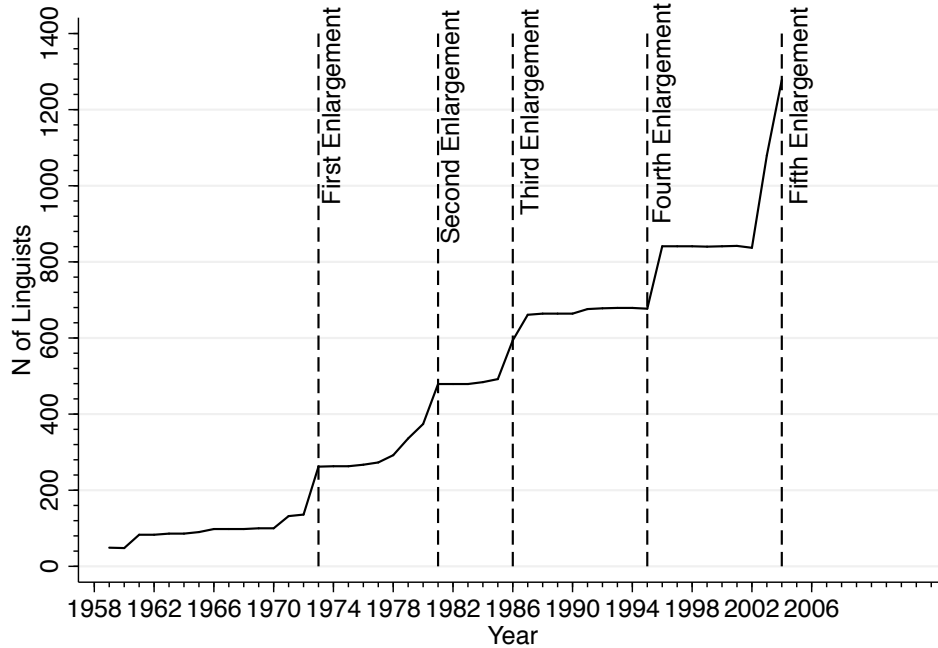
By definition, AD employees perform duties of greater responsibility such as advisory, linguistic and scientific duties. In the AD category we find professions such as translators, interpreters, economists, lawyers, medical officers, scientists, researchers, financial officers and auditors (Staff Regulations, 2013, Article 5 and Annex I). The presence of a high number of translators and interpreters is a particularity of the EP (Perez, 2007; Costa, 2001; Camenen, 1995; Priestley, 2000). In fact, the EP qualifies as one of the biggest employers of linguists. As the EP membership has expanded to include representatives from new member states the linguistic services have concomitantly increased. This is clearly shown in Figure 5.1 (see also Figure 6.1 in Chapter 6). While the number of MEPs is proportional to the population of member states, the number of linguists depends on the amount of documents that need to be translated. Since most of the documents have to be translated in all official languages of the EP (i.e. twenty four languages, which differs from the European Commission, where there are only three official languages) the least spoken languages consist of approximately the same number of linguists as the most commonly

<sup>2</sup>See Articles 223 and 336 of the TFEU, Appendix E as modified by the Lisbon Treaty.

<sup>3</sup>There are cases in the secretariat and political groups where individuals recruited on the AST level perform duties on the AD level.

<sup>4</sup>The category of AST employees carries out administrative, technical or training activities in terms of staff management, budget implementation or political coordination (e.g. personal assistant, senior manager etc.). The AST/SC employees carry out clerical and secretarial tasks, office management (e.g. filing clerks, technical attendants, IT attendants, parliamentary ushers, IT operatives and technicians) (Annex I of the Staff Regulations).

Figure 5.1: Number of Linguists 1958-2005



Data: EU/EU Annual Budgets

spoken languages. Since linguists are not responsible for carrying out legislative tasks, they are not further considered in this dissertation.

Recruitment is based on competitions, which are centrally organised for all the institutions of the EU by the European Personnel Selection Office (EPSO). This means that the candidates are not selected by the EP (only in the case of contract and temporary agents), but by the same central office that selects staff for the European Commission, Council, Committee of the Regions and other institutions. Candidates must fulfil six basic requirements: citizenship from one of the member states, fulfilled obligations regarding military service, appropriate character, recruitment through competition, physical fitness and knowledge of two EU languages (Article 28, Staff Regulations, 2013). Competition results have to allow recruitment from the ‘broadest possible geographical basis from among nationals of Member States’ (Article 27, Staff Regulations, 2013). The multi-national composition of the staff is of course a major difference compared to national parliaments. However, as a rule, only EU citizens are eligible to apply, which does not make the recruitment system that different from national parliaments. The Staff Regulations and the Conditions of Employment for Other Servants (CEOS) are rather vague on national proportionality (Article 27). On the one hand, no post shall be reserved for a particular citizenship. On the other hand, an institution can adopt measures where there are significant imbalances between nationalities.

The services that are of interest in this dissertation are presented in Table 5.1 and are considered in detail in the following section. These services are: DG for Internal Policies

(DG IPOL), DG for External Policies (DG EXPO), DG European Parliamentary Research Service (DG EPRS) and the Legal Service. While DG IPOL and DG EXPO are mainly organised according to policy, DG EPRS and the Legal Service carry out duties that are transversal to policy subjects. In the following section, these four departments are reviewed on the basis of their services.

#### 5.3.1.1 Committees Assistance

The legislative assistance for committees is provided by the so-called ‘committee secretariats’, which are the administrative organs of committees located within the EP’s central administration. This is a similar organisation to the one encountered in European national parliaments. However, it differs from the US Congress, where staff is partisan and the central administration consists of mainly technical and specialist services. In the EP, committee secretariats offer four types of assistance (Provan, 2001, see also Corbett et al., 2007, pp. 133; Reck, 2003, p. 47):

- Technical-administrative assistance, such as the organisation of meetings;
- Technical-substantive assistance, such as the provision of procedural and legal advice;
- Research, such as the collection of relevant information for reports;
- Political assistance, such as provision of advice on how to achieve political compromises.

The extent to which committee secretariats fulfil these duties depends on the personal characteristics of committee members, their interests, working style and the type of reports they deal with (legislative or non legislative) (see Section 2.2.2). Organisationally, committee secretariats are split between DG IPOL and DG EXPO. The majority of committees are staffed by DG IPOL (seventeen in the seventh legislature). Foreign affairs committees (AFET, DEVE, INTA), subcommittees (DROI, SEDE) and delegations are staffed by DG EXPO. The assistance for delegations is divided in seven region-specific units.<sup>5</sup> In 2013, each of these units had at least four administrators.<sup>6</sup>

Apart from committee secretariats, DG IPOL includes two horizontal services. The Legislative Coordination unit assists the Conference of Committee Chairmen and the Presidency in the preparation of the plenary agenda. It deals with procedural questions in committees, manages requests for own-initiative reports, coordinates the work of the EP vis-à-vis other EU and foreign institutions, etc. The Conciliation and Codecision unit manages conciliation files in the third reading stage and follows issues related to codecision and comitology (Neuhold and Radulova, 2006).

<sup>5</sup>These areas are: Enlargement and EEA, Asia, Australia and New Zealand, Euromed and the Middle East, Latin America, Eastern Partnership and Russia, Africa, Caribbean and Pacific, Transatlantic Relations and G8 (see Table 5.1).

<sup>6</sup>In 2013, the units for Asia, New Zealand and Australia and Euromed/Middle East included six administrators respectively.

Table 5.1: Organisation of Legislative Assistance in the EP

DG IPOL			
Directorates	Economic and Scientific Policies	Citizens' Rights and Constitutional Affairs	Budgetary Affairs
Units	Committee Secretariats: EMPL ECON IMCO ITRE ENVI Policy Department	Committee Secretariats: LIBE JURI AFCO FEMM PETI Policy Department	Committee Secretariats: BUDG CONT Policy Department
DG EXPO			
Directorates	Committees	Regions	Democracy Support
Units	Committee Secretariats: AFET DROI SEDE DEVE INTA	Delegation support: Enlargement and EEA Asia, Australia and NZ Euromed and Middle East Latin America Eastern Partnership & Russia ACP countries Transatlantic Relations & G8 Policy department	
DG EPRS			
Directorates	Members' Research Service	Library	Impact Assessment and Added value
Units	Economic and Scientific Policies Structural and Cohesion Policies Institutional, Legal and Budgetary Affairs External Policies		Ex-Ante Impact Assessment European Added Value STOA Ex-Post Impact Assessment
Legal Service			
Directorates	Institutional and Parliamentary Affairs	Legislative Affairs	
Units	Institutional and Budgetary Law External Relations Rules and Parliamentary Law	Economic and Scientific Policies Structural and Cohesion Policies Justice and Civil Liberties	

Source: EP website, May 2013

Table 5.2: Number of Staff per Committee in 2013

Committee	Secretariat	EPP	S&D	ALDE	Greens/EFA	ECR	GUE/NGL	EFD
EMPL	8.0	3.0	3.0	3.0	2.0	1.8	2.0	1.3
ECON	14.0	3.0	3.0	3.0	4.0	4.0	2.5	3.0
IMCO	14.0	3.0	3.0	1.5	2.0	2.3	3.0	0.8
ITRE	16.0	4.0	4.0	2.0	4.0	3.0	1.5	3.3
ENVI	13.0	4.0	3.0	2.0	4.0	4.3	2.5	2.3
AGRI	10.0	3.0	3.0	1.0	2.0	1.8	1.0	1.2
PECH	7.0	1.5	2.0	1.0	2.0	1.5	0.5	2.2
REGI	9.0	3.0	2.0	2.0	1.0	1.8	2.0	1.0
TRAN	13.0	2.0	2.0	2.5	2.0	2.5	2.0	2.8
CULT	6.0	2.0	1.0	2.5	1.0	2.0	0.5	0.7
LIBE	11.0	2.0	5.0	2.0	3.0	2.8	3.0	0.8
JURI	6.0	3.0	2.0	2.0	2.0	0.5	2.0	3.3
AFCO	7.0	1.5	3.0	1.0	na	0.5	1.5	2.0
FEMM	5.0	2.0	1.0	0.5	1.0	0.3	1.0	1.8
PETI	6.0	2.0	1.0	0.5	1.0	1.0	0.5	2.3
BUDG	9.0	3.0	5.0	2.0	2.0	1.8	2.0	1.5
CONT	6.0	2.0	2.0	1.0	1.0	2.0	0.5	0.5
INTA	14.0	3.0	4.0	0.5	3.0	1.5	2.0	2.0
DEVE	9.0	2.0	1.0	1.5	2.0	2.3	1.0	2.1
DROI	7.0	1.0	1.0	0.5	na	2.5	0.5	1.2
SEDE	6.0	na	1.0	0.5	1.0	1.0	0.5	0.5
AFET	13.0	5.0	5.0	3.0	3.0	2.0	4.0	2.7
Total	209.0	55.0	57.0	35.0	45.0	43.5	36.0	39.0

Note: The decimal figures mean that one person had worked in more than one committee.

**Staff in Committee Secretariats** Among all the AD employees in the central administration of the EP, only one tenth of them works in committee secretariats (Corbett et al., 2007, p. 193, Reck, 2003, p. 47). This is similar to other parliaments, where most of the staff does not work on legislation. Nevertheless, committee secretariats consist of the highest concentration of AD graders (40 per cent) compared to any other central administrative unit (Neunreither 2002 in Reck, 2003). For this reason, the committee secretariats are the most important source of legislative assistance for members. The size of individual committee secretariats varies given the importance of legislative areas and the number of MEPs. In general, committee secretariats are composed of a minimum of five to a maximum of sixteen AD officials (Table 5.2, see also Neunreither, 2003, p. 48). The committee administrator works the most with the rapporteur and the committee chairman. Once a committee is assigned a proposal for legislation, the administrative head of the committee secretariat assigns a legislative file to an official, which then becomes the principal administrator on that specific dossier (Interview B, 2012). Generally, MEPs do not have a say on who is selected as the principal administrator.

### 5.3.1.2 Legal Assistance

The Legal Service (established in 1985) is in charge of verifying the legal basis of a Commission proposal and checking legislative acts before signature (European Parliament 2012b, pp. 45-46; Neunreither, 2003, p. 47). It employs around 100 administrators and lawyer linguists. The lawyer linguist is a specific profession in the EP/EU, which is related to the multilingual character of the EU.

A vast amount of time is dedicated to the representation of the EP in lawsuits, drawing

up all the contracts for the needs of the EP such as the acquisition/renting of buildings, legal questions on MEPs' rights etc. In the past, this has left very little time for the Legal Service to assist committees in legislation. However, as the scope of codecision expanded, the Legal Service increased its activities in legislative assistance. Within the legal department, three units have a responsibility in legislation. The Directorate for Legal Affairs is divided in units dealing with economic and scientific policies, structural and cohesion policies and justice and civil liberties. The Directorate for Institutional and Parliamentary Affairs deals with institutional law, budgetary law, external relations and rules, and parliamentary law. The division of work is thus similar to the structure of committees and their respective secretariats.

The Legal Service plays a role in the legislative assistance of MEPs. For this reason, its administrators attend committee meetings, where the chairman can consult them directly. The committee secretariats tend to consult the Legal Service when they face major legal challenges, rather than on every day issues. The Legal Service has an important role to play especially when a legal dispute arises from adopted legislation (Article 5, Bureau of the EP, 2004). Therefore, one of the main objectives of the Legal Service is to contribute to the EP's ability in dealing with the Council.

The right to consult the Legal Service is divided between individual MEPs and leadership bodies (Article 1, Bureau of the EP, 2004). Only the rapporteurs and MEPs that occupy a leadership position, such as committee and delegation chairs as well as the President of the EP, can consult the Legal Service.<sup>7</sup> The right to consult the Legal Service is conferred to collective entities such as the Conference of Presidents, Bureau, Quaestors, Conference of Committee Chairmen and Conference of Delegation Chairmen. In exceptional cases political groups and individual MEPs can request assistance from the Legal Service as well (Article 2, Bureau of the EP, 2004).

The main deterrents for asking the Legal Service to issue an opinion are the formality of procedures and lengthy deliberations. All the legal opinions have to be drawn in written form. Therefore, committees (rapporteur or committee chairs) turn to the Legal Service informally, because they require quick consultations. As described by a respondent interviewed for this study (Interview Y, 2013):

The Legal Service tends to deliberate on an issue for several weeks and looks at all the terms. They do a very valuable job, but very often I didn't have several weeks. I needed to know today. So what happened is that I rang up somebody who I knew in the Legal Service and asked for his opinion: 'You are not committed to anything. On first appearance do you think this is reasonable? Do you think we can do it?' And I would say: 'I might put this in the chairmen notes and he might ask you something in the committee meeting.'

Given the collected data, there is no evidence that the Legal Service systematically assist MEPs or political groups.

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<sup>7</sup>The Secretary General of the EP is also allowed to consult the Legal Service.



### 5.3.1.3 Research Services

Research in the EP is taken care of by DG EPRS and policy departments, which are located in DG IPOL and DG EXPO. The policy departments and research services have the same thematic organisation as committees and the Legal Service. In addition, research activities are organised based on who is the recipient, which can either be a specific body (e.g. committees) or individual MEPs (European Parliament, 2013a). Compared to state-parliaments, the EP has recently developed a network of research departments, which are looked at below.

**Policy departments** The policy departments carry out research for committees, delegations and specific office-holders therein (i.e. committee chairs, rapporteurs, etc.). Four policy departments (Economic, Scientific and Quality of Life Policies; Structural and Cohesion Policy; Citizens' Rights and Constitutional Affairs; and Budgetary Affairs) are located in DG IPOL, while the policy department on external affairs is part of DG EXPO. The role of policy departments is to help committees carry out their responsibilities by providing advice on hearings, organising workshops and preparing notes, fact-sheets, studies, which also involves the outsourcing of research. In 2013, the number of staff varied across departments. The policy department on the budget was the smallest with seven administrators, followed by the citizens' rights and constitutional affairs with twelve employees, cohesion with sixteen (four of which were seconded national officials) and the external policies unit with twenty staff (four of which were seconded national officials).

**DG EPRS** On the contrary to policy departments, DG European Parliamentary Research Service (DG EPRS) assists all MEPs independently from their function. It covers a broader spectrum of tasks than policy departments. It includes the library, the research service for individual MEPs and some units with specific research tasks (STOA, IMPA and EAVA). The departments within DG EPRS work closely together with committees and policy departments. The specific research tasks provided by DG EPRS are presented in the following paragraphs.

**Research Service** The unit for research was developed in 2013 out of the research capacities in the library, which were previously located in DG Presidency. In the same manner as committees, the Legal Service and policy departments, the Research Service (RS) is structured in five different thematic units covering policies in economics and science, structural and cohesion, institutional, legal, budgetary and external affairs. The fundamental difference compared to policy department is that the RS was established to provide research support for all MEPs independently from their function in a committee.

**Science and Technology Options Assessment** The Science and Technology Options Assessment unit (STOA) was established in 1987. Its role is to assess the scientific and technological aspects of legislation (Neunreither, 2003, p. 51). Policy assessments (e.g.

nano safety, e-democracy, etc.) are requested by committees. Its reports are published on the EP's website similarly to the publication of the Research Service of the House of Commons. In addition to reports, STOA organises round tables, expert discussions and conferences, which are open to MEPs, officials, political group advisors, accredited assistants and other EU organisations. The STOA is supervised by a group of MEPs thorough the STOA Panel, which draws the annual work-plan following the proposals from all the committees. As of 2013, STOA consisted of three officials and one seconded national expert. Several other national parliaments have a similar service. Together these services form the European Parliamentary Technology Assessment Network, which gathers the technological assessment units of European parliaments.

**Impact Assessment Units** There are two impact assessment units (IMPA) with a staff of five administrators, which are responsible for carrying out ex-ante and ex-post impact assessments of EU policies. The units were set up in order to provide the EP with sufficient scrutiny capacity, independent from the information provided by the European Commission (European Parliament, 2013b; European Parliament, 2009c, p. 8). The impact assessments of the EP consider the effects of the Commission proposals given their economic, social and environmental dimensions (European Union, 2003; European Parliament, 2013c). In order to further increase EP's scrutiny capacity, it has been suggested to establish control sub-committees for legislative policies, which would function in a similar way as the Budgetary Control committee (CONT) for the supervision of the EU budget (European Parliament, 2013b, pp. 9, 16).

**European Added Value Unit** The European added value unit (EAVA) was set up in 2012 with the objective to support rapporteurs drafting legislative initiative reports (own-initiative reports) for the consideration of the Commission as stipulated in Article 225 of the TFEU. The Unit has a staff of five administrators, which are responsible for drawing reports on policy areas where acting at the EU-level can produce greater efficiency than acting on national level only. It produces issue papers on the European added values in specific policies and monitors the added values of passed legislation.

### 5.3.2 Staff in Political Groups: Political Advisors

Political groups in the EP are financed directly from the EP's budget (Budget Item 400). With these funds they can set up a secretariat. None of the political groups is given additional funds, such as the 'short money' in the British House of Commons, as in the EP there is no stable majority or coalition. Consequently, political financing in the EP is more similar to the one in the German *Bundestag* and the French National Assembly than the British House of Commons or the US Congress. The following section describes the general administrative organisation of EP's political groups and signals out the diversity among them. A summary of the basic features is provided in Table 5.3.

### 5.3.2.1 General Organisation

The grants to political groups are distributed by the EP's Bureau based on a scale proposed by the chairs of political groups (Bureau of the EP, 2003). The Bureau allocates the grants at the beginning of every new financial year (1 January), taking into account membership changes. The sum of the grants is based on the number of members and languages represented within a group. This means that the groups with larger memberships and greater linguistic diversity are allocated more funds than others. No other criterion for the distribution of funds is taken in consideration. Political groups can spend the allowances for their administrative and operational expenditures and for political and information activities related to EU activity. However, they are prohibited to dispense their funds for electoral campaigning and activities sponsoring political parties, since European political parties and foundations are financed separately.

Compared to party groups in national parliaments, political groups in the EP have more human resources to follow the work of members in committees (Costa, 2003, p. 155). Nevertheless, their human resources are limited compared to the committee secretariats staffed by the central administration of the EP (see Table 5.2). How many officials a group can employ is decided by a formula, which takes into account the number of MEPs and speaking languages within a group (Corbett et al., 2007, p. 99). The number of officials is not supposed to exceed the number of MEPs per group, but this has been violated due to enlargements (Interview U, 2013).

As of 2013, the total of political groups employed more than one thousand employees; 60 per cent of them belonged to the AST category and performed clerical and secretarial jobs, while the rest, around 400 employees, were engaged in AD positions. Political advisors are therefore categorised in the same function groups as the administrators in the central secretariat. However, Staff Regulations have never recognised a permanent status to employees in political groups. This is reflected in the establishment plans of the EU budget, where political groups are allocated posts for temporary employees. De facto individuals have made a career and reached retirement by working in political groups (Camenen, 1995, p. 150). The job contracts of political advisors are in fact indefinite, but dependent on the election results and the continuity of political groups between legislative terms. The precariousness of their position is also offset by other employment conditions, such as health and social insurance, which are similar to the ones of permanent officials. Political advisors have to meet the same basic recruitment requirements as the officials of the central secretariat. This means that they have to speak two European languages, be an EU citizen, have a Bachelor degree and show an appropriate character.

Political groups divide their work between administrative and political tasks. Political tasks are notably carried out by advisors (also 'political advisors' or 'group advisors'). Their assignments include following the work of one or more parliamentary committees, preparing summaries, position papers, minutes of meetings, drafting amendments, preparing possible voting lists, ensuring that MEPs pursue the objectives of the political group, working with

other political groups, etc. Political group secretariats do not assist individual MEPs. National and background differences make it complex for political groups' officials to meet the needs of individual MEPs in respect to their constituencies (Reck, 2003, p. 55). This task falls mainly on personal assistants of MEPs, who act as political advisors and are discussed in Section 5.3.3.

### 5.3.2.2 EP Political Group Diversity

**Recruitment** Apart from the minimal conditions of employment, the political groups are free to organise their secretariats in terms of internal rules, procedures and additional recruitment criteria (Hix and Lord, 1997; Corbett et al., 2007, chapter 5). Recruitment procedures vary among political groups. They can be based on patronage, political or personal contacts and professional or linguistic requirements. Party membership is not a requirement, even if it is difficult to imagine an individual applying for a job in a political group without being ideologically close to that group (Interview U, 2013; Interview ZB, 2013). Compared to the past, it is common that political groups organise a competition for recruiting new staff. Competitions include oral and written tests for examining the candidates' knowledge on the EU/EP, knowledge of languages and the ability to write. In addition to the general conditions, which are specified in the Staff Regulations, special conditions might apply, such as commitment to political groups' objectives, experience, negotiations skills, understanding of the importance of discretion in a political environment, etc. (e.g. ECR, 2012; EPP, 2012).

**Internal organisation** Apart from recruitment, every group is responsible for its own internal organisation. Two general patterns in the organisation can be observed: organisation depends on the number of MEPs and it is influenced by the specialisation in the EP's secretariat.

**Number of MEPs** First, the organisation of political groups differs given the number of MEPs and their specific interest in particular policies. This means that the number of departments and the level of specialisation vary given the size of each group and/or political priorities. With the exception of the Greens/EFA (see pg. 93), the level of specialisation increases with the number of MEPs. For example, the EPP, as the group with the largest membership, employs a communication officer for each national delegation. This is not the case for smaller political groups. Political groups with smaller memberships are less specialised in committee work as well. Political advisors in smaller groups follow more than one parliamentary committee at a time (Table 5.2).

**Influence of the EP's Secretariat** Second, there is a tendency in political groups to organise their secretariats in a way that, more or less, mirrors the structure of the EP general secretariat (see Tables 5.1 and 5.3). For example, in the EPP legislative assistance is organised by policy areas resembling the division of work in DG IPOL and DG EXPO.

Work is organised in four working groups (Foreign Affairs, Economic Affairs, Budget & Agriculture and Social Affairs) and into regional departments for managing the work of parliamentary delegations. S&D and ALDE have divided committee work in three policy sectors (Economic & Social Cohesion, Citizens Rights & Institutional Affairs and Foreign Relations). These working groups are further divided into units, which follow individual committees.

**Specialisation** The administrative organisation of the EPP, S&D and ALDE reflects four levels of political discussions: the committee level, the working group level, which gathers together thematically coherent committees, the presidency level, which consists of the party leadership, and finally the group as a whole. The purpose of specialisation is to put in place ‘filters’ that detect disagreements between MEPs and national delegations as earlier as possible in the decision-making process (Interview ZB, 2013). This has become especially important with the rise in the number of the so-called ‘early agreements’ (i.e. when an inter-institutional agreement is reached in the first reading of codecision, thus shortening the possibilities for deliberation compared to procedures involving two readings). Finding out where alternative opinions exist, solving them or at least pointing them out contributes to a political group’s unity, which in turn improves its capacity to influence the outcome of a policy. Specialisation is therefore especially important for political groups, where membership is diversified and where there is less agreement on a common political agenda. This also means that it is easier to organise a political group, which is politically cohesive (Interview ZD, 2013). A disadvantage of specialisation is the establishment of a hierarchy, where information does not flow fast enough between the different levels of organisation. In case of internal disagreements and when information does not reach those who have the power to intervene, specialisation can be counterproductive. This is critical especially in first reading agreements, where political groups might not always have enough time to identify points of disagreements and risk to arrive at the plenary stage without a common position.

**Greens/EFA** A particular case of specialisation is the Greens/EFA group. This political group stands out compared to others due to their specialisation on specific issues, such as genetically modified organisms, climate change, internet policies and intellectual property (Greens and EFA, 2012). The Greens/EFA invest most of their resources into policy work, while keeping the administrative branch of the secretariat small. They are also known for a fluid type of organisation characterised by few levels of hierarchy between politicians and staff (Interview ZD, 2013). Together, these two characteristics favour an environment of ideas, where qualified staff (political advisors and APAs) are free to talk and intervene in group discussions. The organisation of the Greens/EFA is a strategic choice, which builds on the notion that one needs to be innovative to counterbalance political underweight.

**Nationality** The importance of nationality varies between political groups and national delegations. While officially recruitment is not done according to nationality, linguistic requirements tend to produce similar staff and MEPs national distributions. For example, in order to provide support for Latvian MEPs, Latvian-speaking official are recruited.<sup>8</sup>

In certain political groups, the principle of nationality is stronger than in others. For example, in the ECR some national delegations are entitled to their own staff, which are accountable to the specific national delegation rather than to the political group as a whole (Interview V, 2013). In practice this means that each delegation of MEPs within the ECR is in charge of its own recruitment. A similar tendency exists in the EFD group, where MEPs are distrustful of staff and demand from them high levels of loyalty. This means that MEPs are less keen to delegate tasks to their staff.

Recruitment policies and staff compositions are organised along the line of the central secretariat. EPP and S&D MEPs tend to see political advisors as staff that work for the whole group and nationality is less emphasised. Anna Colombo, the S&D Secretary General, has promoted the idea of a supranational secretariat, whose composition does not necessarily reflect national delegations. This is also why in the S&D the support to national delegations is voluntary (Interview ZB, 2013).

In the EPP and S&D, the influence of national delegation is curtailed also through the recruitment process. Namely, a representative of the EP's general secretariat is always involved in the selection of candidates in addition to the staff of the group and staff unions (Interview ZB, 2013; Interview U, 2013). Recruitment is done through competitions, where selected candidates are ranked in a preferential order. MEPs can then select one of the ranked candidates. Hiring candidates other than the first ranked on the list can be controversial and requires argumentation. Otherwise, there is a risk that the selection procedure is put under question and brought before the Civil Service Tribunal of the EU Court of Justice in Luxembourg. For this reason, there is an incentive to conduct fair selection procedures, which do not automatically lead to the recruitment of MEPs' preferred candidates (Interview U, 2013).

**Approach to Politics** While nationality is not the most important criteria for either the EPP or the S&D, there are differences in the approach to politics, which has to do with spirit and tradition of political families rather than organisation. For example, S&D staff have the reputation of being politically loyal to the Socialists party. In the past, membership in a Socialists party was the precondition for recruitment, while this is not the case anymore (Interview ZB, 2013). Nevertheless, working for the S&D is regarded as a statement of personal political convictions (Interview U, 2013; Interview P, 2013; Interview ZB, 2013; Interview W, 2013). The Greens/EFA and GUE/NGL groups share a similar attitude. On the contrary, political convictions are of less importance for the EPP, where competences are valued above all. This, however, does not imply that EPP staff do not sympathise with the Christian-Democratic political tradition (Interview U, 2013). These traditions are also reflected in the type of personal assistants that work for MEPs and are discussed next.

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<sup>8</sup>However, they do not have to necessarily hold Latvian citizenship as long as they speak Latvian.

Table 5.3: Organisation of Political Groups' Secretariats (2013)

	<b>EPP</b>	<b>S&amp;D</b>	<b>ALDE</b>	<b>Greens/EFA</b>	<b>ECR</b>	<b>GUE/NGL</b>	<b>EFD</b>
Leadership	Secretary	Secretary	Secretary	Secretary	Secretary	Secretary	Secretary
Structure	General and 3 Deputies	General and 3 Deputies	General and 3 Deputies	General and 3 Deputies	General and 2 Deputies	General and 2 Deputies	General and 2 Deputies
N of Press Officers (incl. AST)	24	19	10	10	13	7	14
N of Political Advisors in committees	55	57	35*	45*	43	36*	39
Inter- Institutional Relations	Department	Department	Department	Liaison officer	no	no	na
Work Specialisation	Committees, regions and national delegations	Committees, regions and national delegations	Committees and regions	Committees, regions and specialised topics	Committees, regions and national delegations	Committees and regions	Committees and national delegations
N National Delegations	27	28	21	15	6	12	12
N MEPs	275	194	85	58	56	35	32

Notes : \* These groups use the denomination of 'policy' instead of 'political' advisors.

Source: Political Groups' websites, January 2013

### 5.3.3 MEPs Personal Staff

The role of assistants in the EP is vis-à-vis national parliaments important due to the national context of EU politics and the differences among MEPs, which require specific knowledge that cannot be otherwise met by officials or political groups (Reck, 2003, p. 55). In comparison to national parliaments, the monthly allowance received by MEPs is relatively high. From 2011, the staff allowance has been set to a maximum of 21 209 euros (European Parliament, 2011b).<sup>9</sup> In comparison, French MPs receive 9 412 euros and Italian MPs 3 690 euros (Assemblée nationale, 2013, pp. 516; European Parliament 2013b, p. 19). The most generous legislature is the US Congress, whose members receive three times the amount of MEPs (European Parliament, 2012a, p. 86). Assistants of MEPs are paid from the appropriations dedicated to the special functions carried out by the EP, while secretariat administrators and political group advisors are paid from the appropriation dedicated to staff of the EP institution.<sup>10</sup>

According to the law, two types of assistants work for MEP: local and accredited (Article 34 of the Implementing Measures for the Statute for MEPs; European Parliament, 2009b). The same distinction exists also in state-legislatures, although it is not enshrined in law. While accredited parliamentary assistants are responsible for helping MEPs in their role as legislator and scrutiniser, local assistants take care of the representative and linkage function. The increase of financial resources in the EP gives MEPs the possibility to set up their own personal office with on average two accredited and four local assistants (see Figure 5.2). The system of MEPs offices resembles the system in the US Congress, with the exception of the level of formalisation, which is more detailed in congressional offices than in the EP. In this dissertation, the focus is on the accredited parliamentary assistants (APAs) that aid MEPs in their committee and plenary work in Brussels or Strasbourg. The difference between EP-based staff and local staff is considered next.

#### 5.3.3.1 Constituency and Parliament Staff

The situation surrounding the employment of personal staff in the EP is particular. While in national systems there are no formal rules on the division between constituency and parliamentary work, the EP has set up such rules in 2009 with Regulation 160/2009 amending the Conditions of Employment of Other Servants of the European Communities (CEOS, Regulation 160/2009; see also Andreone, 2010). This amendment was adopted among a series of measures (i.e. Statute for Members of the European Parliament (2009), its Implementing measure (2009) the MEPs' Code of Conduct (2012)) to increase transparency in parliament after in 2008 the media published the results of an EP's internal audit, which discovered corruptive use of parliamentary allowances.<sup>11</sup>

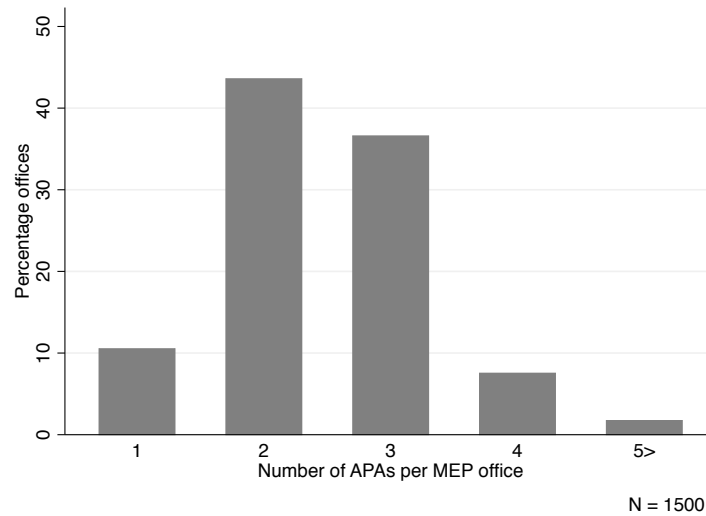
<sup>9</sup>This amount covers the expenses of accredited and local assistants (Article 33 of the Implementing Measures for the Statute for MEPs; European Parliament, 2009b).

<sup>10</sup>This is also the main reason why the number of available positions for APAs is not available in the Establishment Plans in the Annual Budgets of the EU.

<sup>11</sup>The misuse of allowances was officially discovered in 2006 after an internal audit on the executed payments to assistants between 2004-2005. The public became aware of the audit report, known also as



Figure 5.2: Number of Full or Part-Time APAs per MEP Office (2013)



Source: EP website, September 2013

Note: The number of full-time accredited assistants per member is limited to three with contracts running simultaneously. Given the information on the EP website it is not possible to distinguish between full-time and part-time employees, which results in a member employing more than three accredited assistants.

As a result of Regulation 160, there is now a general distinction between assistants working in the EP (or accredited parliamentary assistants, APAs) and those assistants that work in constituencies (or local assistants) (Article 34 of the Implementing Measures adopted by the Bureau of the EP to the Statute for MEPs, European Parliament, 2009b).<sup>12</sup> Parliamentary assistants in the EP are employed under European law (Regulation 160/2009), while local assistants are employed under private contracts pertaining to the national law of the country where they work.<sup>13</sup> This means that the legal situation among MEPs' local assistants differs per country, and that MEPs' local assistants have similar working contracts to assistants employed by MPs in national parliaments. In other words, the conditions of employment of MEPs' local assistants differ from the ones of accredited assistants in the Brussels offices of MEPs. This is a particularity of the EP, which is unseen in other state-legislatures.

Both MEPs' local and accredited staff are employed personally by an MEP. However, while it is the MEP who administers the contract of local staff (or a paying agent following an authorisation from the MEP), this is done by the EP's central administration in the case

the Galvin Report, in 2008. The EP released the report only in 2011, after the European Ombudsman stated that the public should have access to details of the payments received by MEPs including the secretarial allowance, general expenditures allowances, travel and subsistence allowance.

<sup>12</sup>Prior to the 2009 reform all assistants were employed under private contracts subject to national law. MEPs were responsible for the management of both parliamentary and local staff.

<sup>13</sup>A number of common rules for the employment of local assistants are stipulated in the Implementing Measures to the Statute for MEPs (European Parliament, 2009b; Bureau of the EP, 2009; European Parliament, 2011b).

of APAs. This is different compared to national parliaments, where both parliamentary and local assistants work on private law contracts. In the EP, around 35 per cent of assistants are employed as APAs, the remaining 65 per cent are local assistants (data for 2013). This proportion situates the EP somewhere in-between the French and British parliament (where one third of assistants works in the capital) and the German *Bundestag* (where half of the assistants work in Berlin).

Prior to the adoption of Regulation 160, the conditions of employment for parliamentary assistants were different from the ones of officials and political advisors. Parliamentary assistants did not benefit from the same social security, pension scheme and the special tax system as the officials and other servants of the EU. These conditions put parliamentary assistants in a underprivileged position, which affected the prestige of their profession vis-à-vis secretariat officials and political group advisors. While the position of APAs has ameliorated with Regulation 160, they neither have a staff union nor are they represented in any other union. Their representation as employees of the EP are defended through the APA Committee, i.e. an association, which was for the first time elected in 2010 to defend, promote and coordinate the interests and views of assistants.

### 5.3.3.2 Accredited Assistants

Even if all APAs are employed under the same legal conditions, the recruitment procedures still vary per MEP. Article 33 of the Implementing measures to the Statute for MEPs states that members can freely choose their personal staff. Article 128 (2) of the Staff Regulations sets some conditions on the engagements in terms of citizenship, military service, good health, knowledge of languages and the level of education. As secretariat administrators and group staff, parliamentary assistants have to have knowledge of at least two EU languages. In terms of the education level they are not required to have a Bachelor degree, but at least professional experience and training equivalent to post-secondary education. Article 128 (1) of the Staff Regulations also says that the relationship of mutual trust between the MEP and his/her assistant implies the possibility for members to select their personal staff on political affinity. This provision is unique to assistants and does not apply to secretariat administrators or political group advisors.

The same trend observed for political groups, holds also for APAs (see page 94): the tradition of a party influences the type of assistants MEPs employ. APAs working under EPP members are less grounded in the political tradition of their employer than APAs working for S&D members (Interview P, 2013; Interview Z, 2013). The importance of education and political affinity in the selection of assistants has been observed also by Michon (2005). He has identified two ways to become an MEP assistant. The first option is through education by completing studies in a foreign country. The second option, which is usually taken by those who fail through the first, is a militant career in a political party. The differences in the recruitment underlie also the different types of assistants one can find in the EP. It is in the discretion of MEPs how to put to work an assistant. For example,

an MEP focusing on the abduction of children requires a different kind of assistance than an MEP focusing on the direct payment directive.

Differences in MEPs' priorities are therefore reflected also in the qualities and qualifications of their personal assistants. Given the many different ways MEPs choose to work, there is no common description for the work of assistants. Compared to Congressional offices there is also not a clear distinction between assistants that do administrative and secretarial tasks. However, tasks differ given the level of education and the position in the hierarchy (grading system, see Section 8.2.1).

### 5.3.3.3 MEPs' Personal Offices

The financial conditions that are currently in place allow each MEP to employ a maximum of three full-time APAs with contracts running simultaneously.<sup>14</sup> The increase of financial resources for staff allowances has enabled MEPs to organise themselves into offices or cabinets, which is a phenomena pertaining to the US legislative system (Salisbury and Shepsle, 1981). In fact, in the EP, the offices of MEPs are commonly described as small enterprises with MEP as their directors (Interview Z, 2013; Interview Y, 2013). However, the number of staff and the division of responsibilities in the EP cannot be compared to the US Congress, as it, in terms of tasks, resembles more the European system.

In the seventh term of the EP (2009-2014), most of the MEPs (more than 70 per cent) employed two or three APAs (Figure 5.2). The most common scenario among political groups is an MEPs with two APAs. The Greens/EFA, GUE/NGL and non-attached members deviated from this number, as they most commonly employed three assistants. Individual EFD members on the contrary employed most frequently one assistant. Despite the increase of financial resources for the recruitment of accredited assistants, the relative size of political groups continues to be respected. This can be seen in Figure 5.3, where the majority of APAs worked for MEPs that were affiliated to the largest groups in the seventh term. Given the relative size of political groups the proportion between MEPs and APAs was also equal (Figure 5.4).

The way the work is organised in the personal office of MEPs varies in the number of APAs, but also in the type of responsibilities APAs are delegated to do. MEPs that work on legislation are expected to employ assistants to follow the work of committees. In terms of legislative work, accredited parliamentary assistants distinguish themselves from secretariat administrators and political advisors, as they provide direct and personalised assistance to MEPs. They are also the persons MEPs spends the most time with at work and can thus become confidants.

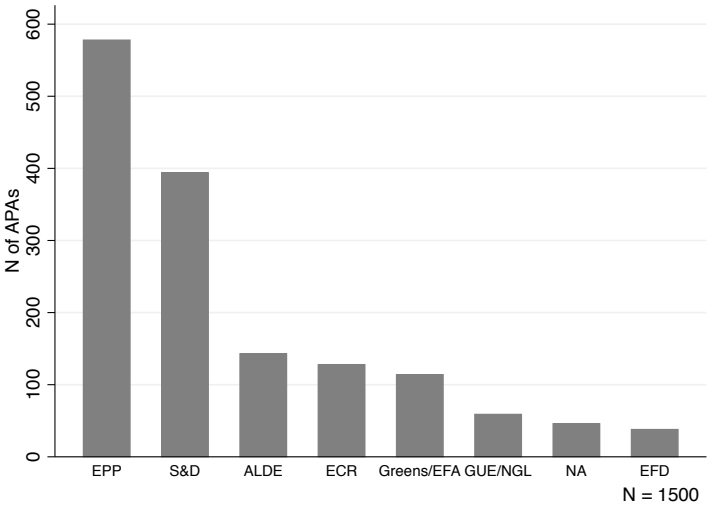
### 5.3.4 Job Comparison

This section compares the roles of secretariat officials, political advisors and APAs given the formal and informal character of their jobs. Table 5.4 provides a summary.

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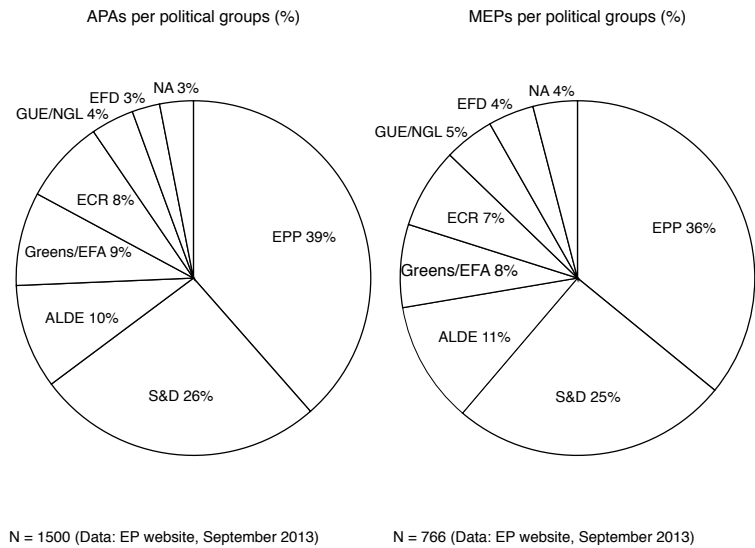
<sup>14</sup>On the contrary, the number of local assistants is not limited.

Figure 5.3: Number of APAs per Political Group (2013)



Source: EP website, September 2013

Figure 5.4: Comparison of MEPs and APAs Proportions Based on the Size of Political Groups (2013)



Source: EP website, September 2013

#### 5.3.4.1 Formal Aspects

All EP employees are covered by EU law, but according to different regulations. Administrators, which are employed on an indefinite contract, have the status of officials or civil servants. All the others do not qualify as civil servants. The employment of officials is governed by the Staff Regulations for Officials, while the employment of political advisors and accredited assistant is regulated by the CEOS. EP staff are regulated to a larger extent than staff in national legislatures. This holds particularly for the profession of APAs and political groups. In national parliaments, staff are employed according to private and not public law.

The status of civil servants guarantees them greater job security and social benefits compared to temporary staff and APAs. In addition to permanent employees, the general secretariat can also employ temporary staff. Political advisors and APAs are per definition engaged only on a fixed term basis. The duration of APAs' employment is clearly linked to the mandate of the MEP that employs them. This is not so clear for political advisors, where the continuity of employment is assured given the aggregate elections results obtained by individual political groups rather than individual MEPs. As a result, political advisors have a greater job security than APAs. The contract periods also mean that the administrations in the secretariat are the only ones whose contracts are not affected by European elections results. This makes the secretariat of the EP the only permanent source of assistance for MEPs. In respect to these characteristics, the EP is similar to state-legislatures.

Except for the job security, political advisors benefit from very similar working conditions as the permanent administrator of the secretariat. Accredited assistants have fewer privileges. Salary conditions for officials and political advisors are the same (see Article 66 of the Staff Regulations). At the lowest levels (AD 5 to AD 9) the salaries range from 2 654 to 7 127 euros. Head of units and advisers (AD 9 to AD 14) receive between 7 127 and 14 953 euros.<sup>15</sup> The pay on the highest grades ranges between 13 216 and 18 370 euros.<sup>16</sup> The remuneration for APAs is lower and varies between 1 680 and 7 740 euros (Article 133 of the CEOS).

The professional requirements for legislative staff are very similar. Before being selected they have to fulfil basic conditions in terms of military service, appropriate character, physical fitness and language knowledge. Officials and temporary staff working either in the central secretariat or political groups have to have at least a Bachelor degree. The engagement of APAs is conditioned upon a secondary level of education or sufficient professional experience. EU nationality is a necessary condition for staff in the secretariat and political groups, but not for APAs. While recruitment for secretariat's officials is done strictly through centralised competitions organised by the EPSO, this is not a requirement for political groups and MEP staff.

<sup>15</sup>All the amounts are based on Staff Regulations as amended in October 2013.

<sup>16</sup>The salaries of employees in the AST category range between 2 654 and 10 324 euros. Salaries for employees in the AST/SC rank are 2 345 and 4 921 euros.

Table 5.4: Legislative Staff in the EP

<b>Administrators</b>	<b>Political Advisors</b>	<b>Accredited Assistants</b>
Legal Status:		
Permanent and Temporary Staff	Temporary Staff	Accredited Assistants
Recruitment:		
Contract are regulated with EU law since 1956: Staff Regulation of Officials and CEOS (Title II)	Regulation of Officials and CEOS (Title II)	Contract are regulated with EU law since 2009: CEOS (Title VII)
Centralised Competitions (EPSO)	Decentralised Competition (EPSO can assist the selection) or other methods	Decentralised and in the hands of MEPs
Recruitment criteria:		
No posts shall be reserved for nationals of any specific Member State. But: Monitoring of imbalance between nationalities.	No posts shall be reserved for nationals of any specific Member State. But: Monitoring of imbalance between nationalities.	Not regulated
Bachelor Degree (minimum)	Bachelor Degree (minimum)	Secondary degree (minimum)
Knowledge of 2 EU languages	Knowledge of 2 EU languages	Knowledge of 2 EU languages
Conditions of Employment:		
Indefinite and Fixed contracts	Fixed period contracts	Fixed period contracts
Paid for the EU Budget Ch. 12	Paid for the EU Budget Ch. 12	Paid for the EU Budget Ch. 42
Temporary staff is eligible to stand internal <i>concurres</i> to become officials.	Temporary staff is eligible to stand internal <i>concurres</i> to become officials.	Ineligible to stand internal <i>concurres</i> to become officials.
Salary: 4 349 (Grade AD 5) to 18 370 euros (Grade AD 16)	Salary: 4 349 (Grade AD 5) to 18 370 euros (Grade AD 16)	Salary: 1 689 (Grade 1) to 7 740 euros (Grade 19)
Obligations:		
Objectivity, impartiality, loyalty to the EU and work in the interest of the EU	Objectivity, impartiality, loyalty to the EU and work in the interest of the EU	Objectivity, impartiality, loyalty to the EU and work in the interest of the EU. But: In regard to the special relation between the MEP and assistant
Duties:		
EP Internal assistance	EP Internal assistance	EP Internal assistance
Legislative assistance: Drafting for rapporteurs, finding balance between technical and political opinion, preparing the order of voting lists, research, provide legal opinions	Legislative assistance: Drafting amendment for group, no direct role in the assistance of rapporteurs	Legislative assistance: Drafting
Support functions	Group organisation and coordination Political help to MEPs for their work in committees (preparation of positions)	Support functions Filtering external sources Political help Assistance in the relations with national parties

#### 5.3.4.2 Informal Aspects

While the formal criteria are clearly specified in the Staff Regulations and CEOS, the nature of the work is less determined. Tasks staff have to perform are said to vary given the characteristics of a political proposal and the main actors involved (Winzen, 2011; Dobbels and Neuhold, 2013). The information presented in this chapter shows that one of the factors affecting the duties carried out by staff is specialisation. The central secretariat of the EP has an extensive organisation chart and some of the duties are clearly divided. Specialisation is less differentiated in the secretariats of political groups and MEP offices. As a result, work is more heterogeneous than in the central secretariat. In political groups, specialisation is dependent on the financial resources, which are in turn determined by the number of MEPs. Bigger political groups are allocated higher amounts and have as a result more detailed organisation charts than smaller groups. In addition, specialisation helps to overcome problems of political fragmentation in political groups, when several levels of staff help to identify disagreements between MEPs. Deviations from this situation arise, when specialisation turns out to be hierarchically too rigid or when MEPs and national delegations take hold of a staff segment. To prevent this, political advisors are required to work for the political objective of a political family. This involves standing up to individual MEPs, when their positions diverge from the positions that benefit the overall interest of the political family (Interview K, 2012; Interview ZD, 2013; Interview ZA, 2013; Interview U, 2013).

Officials working for the central secretariat carry a similar responsibility to disagree with individual MEPs and political groups. However, the source of their disagreement deals with their procedural rules guiding the work of the EP and their institutional memory rather than political arguments. Defending specific political positions is considered a dangerous territory for the officials of the central secretariat (Interview Y, 2013). Some of the respondents interviewed for this project did express a negative view regarding specific committee secretariats and suggested that some committee secretariats have their own political agenda (Interview V, 2013; Interview W, 2013). One of the reasons that lead to these opinions has to do with the particular situation that officials of the secretariat find themselves in. When the secretariat administrators work on a legislative proposal, they support the rapporteur MEP. As a result, administrators can be seen protecting the rapporteur in confront of the shadow rapporteurs and other MEPs that disagree with the committee report. To avoid such situations, the officials of the secretariat have to ground their work on professional rather than political arguments.

Quite distinct is the relationship between APAs and MEPs. Compared to secretariat administrators and political group advisors, APAs are the most likely to conform to the authority or will of the MEPs. This behaviour is incentivised by the fact that APAs' employment is dependent of the MEP. The parliamentary assistant is the person that seeks out ways to realise the political wishes of the MEP. It is the role of an APA to provide the MEP with arguments to counter the political and professional reasoning of

political group advisors and secretariat officials. This means that there is likelihood for conflicts between legislative staff.

However, the role of APAs varies the most among legislative staff due to the miscellaneous working arrangements in MEPs personal offices. Overall, legislative staff in the EP are a diverse group, where everyone performs specific tasks given their organisational affiliation.

## 5.4 Discussion: The EP as a State-Legislature?

This chapter has been structured around Hypothesis 1, based on which the organisation of legislative assistance in the EP is similar to the one in state-legislatures. The first part of the chapter has sketched the legislative assistance in state-legislatures. The second part has presented the system of the EP in detail.

### State-Legislatures

Each of the four legislatures that were reviewed has a composite administration consisting of a central administration, political group staff and personal staff. All the central administrations provide administrative and legislative advice, which always include procedural and legal services. The recruitment and organisation of personal staff is in the discretion of individual MPs within the limits of labour laws. The position of MPs' personal assistants is historically grounded.

However, differences exist given national administrative traditions and the role played by parliament, its members and political groups within the political system of a given country. The organisation of political groups and personal staff is an example of the latter. Where parliamentary groups are weak, they lack the power to formally employ staff (e.g. the US and France). The weak position of parties in parliament is evident, in particular in the US Congress. While parliamentary groups in Europe are directly financed from parliament's budget via an allowance, the political parties in the US Congress do not receive a direct grant for staffing. In the Congress, the grants that facilitate the work of the majority/minority are allocated to committees and office holders such as majority/minority leaders and whips. This is a reflection of the relative strength of individual MPs vis-à-vis political parties.

The importance of individual MPs is also evident in the allowance system for personal staff assistance. Parliaments in political systems that privilege the role of individual MPs give extensive administrative resource to them (e.g. the US). European legislatures, on the opposite, tend to strengthen political groups over the individual role of MPs, also through weak personal legislative and constituency assistance.

The electoral system also plays a role. Parliaments elected in proportional systems distribute administrative resource fairly among all the represented political parties and members of parliament. In systems of majority rule, special attention has to be paid



to parties that are in the opposition. In the UK, a special grant guarantees additional administrative support for the opposition party. In the US Congress, an informal rule commands that one third of administrative resources dedicated to a committee is allocated to the minority party.

In terms of administrative tradition, the main differences lie between the American and European legislatures. Parliaments in Europe share the idea of an apolitical central service, which stems from the Weberian model of bureaucracy. In Britain, Germany and France, staff's professionalism in central administration is associated with political neutrality. It is not surprising that central administrations of European parliaments represent the fundamental structure on which members can turn to for legislative assistance. On the contrary, in the US Congress, which has developed out of a spoils system, professionalism is not connected with the capacity of staff to stay neutral. Staff of Congressional committees are organised on a partisanship basis and divided between the minority and majority. No such division exists in European legislatures. This makes the American example less similar to Weber's model for bureaucracy.

### **The EP as a State-Legislature**

Following the theoretical logic of sociological institutionalism, the chapter has built on the assumption that the EP would resemble an administrative organisation according to the existing and applied models of parliamentary administration. The basic characteristics presented in this chapter and summarised in Table 5.5 provide a framework for a model of parliamentary administrative organisation as a population or field of organisations (DiMaggio and Powell, 1983). It has been shown that as a form of organisation, parliaments exist in a homogenous environment, where they share a model of organisation. Where differences exist, they relate to the political system and administrative culture.

The EP features characteristics similar to national parliaments as outlined in the first part of the chapter. The administrative capacity of the EP is distributed among its central administration, political groups and MEPs. The organisation of departments divides the work to committees, research, procedural and legal advice. Work is further divided according to policy areas.

Some of the dissimilarities that were identified for state-legislatures are detected also for the EP. On the one hand, the fact that the EP gives substantial resources to both political groups and individual members brings it closer to national parliaments in Europe than the US Congress. On the other hand, individual members of the EP receive far more financial and personnel resources than members of any other parliament in Europe, which indicates a similarity with the Congressional organisation of legislative assistance. In terms of committee capacity, the EP resembles the American and German system. Legislative assistance is built around committees as the most important venues for legislation.

The main difference with the Congressional model has to do with the treatment of staff working for the central administration and political staff. In the USA, there is practically no distinction between the two. Staff working in Congressional committees are considered partisan staff, which means that they are expected to express political judgments in their

work. For the officials working in the EP's central secretariat, and also in other European national parliaments, neutrality is the most important value and the source of staff's competence. A civil servant of the EP's secretariat, who participated in the staff exchange programme between the EP and Congress, has illustrated the difference between the EP and Congress in the following way (Interview A, 2012):

In the Congress there is no distinction between an official and a political advisor or assistant. These are staff and if you work for a specific Senator then you are the party, even if you don't need to be a member of the party. Here [in the EP] is like: "Oh, no, no, no." MEPs will have the assistants and they have the group people and then they have us [secretariat administrators]. And the group people for example are allowed to have an opinion. We can have an opinion on technical things, but how can you differentiate what is technical and what it is not? [...] MEPs in general they want staff to be staff. Shut up and don't say much. Basically this is how it is.

As already stated, differences can be attributed to different administrative traditions in the US and Europe. The US has developed out of a spoils system, where senior positions are reserved for appointees. In Germany, France and the UK there is an emphasis that civil servants need to be neutral and adhere to the classical model of bureaucracy according to Weber. This neutrality means that civil servants have the capability to understand political sensibilities. The same understanding is in place in the EP.

**Hybrid Elements** The EP has adopted a hybrid organisation for its research services. The organisation of research combines elements of vertical and horizontal departments. On the one hand, the EP has a separated research service within the organisation of its central administration as seen in the *Bundestag*. On the other hand, the EP also has horizontal research units (i.e. policy departments), which are nested in the committee organisation as seen in France. The EP has also developed considerable research capacities for identifying possibilities to initiate legislation and assess policy impact, which is in line with EP's right to initiate legislation.

**Own Characteristics** However, the EP has also developed attributes of its own, which are not common among state-legislatures. It has developed an *extensive* legal framework regulating the work of staff (Staff Regulations, but mainly the CEOS). These laws specify separately the conditions of employment for the central administration, political group staff and the MEPs parliamentary assistants working in Brussels. No such statuses exist for group and personal staff in any other parliament. This finding is at odds with the isomorphism hypothesis if the latter is understood as the literal adoption of existing models without any manoeuvre for deviation. It is known from previous research that heterogeneity lessens the likelihood of one particular model to determine others within the same organisational field (Clemens and Cook, 1999, p. 448). However, the EP functions

in a homogenous environment of parliament, where there are no real competing models of organisation. Despite this, the organisation of legislative assistance that we find in the EP results from a sort of deviation from the dominant model of state-parliaments. The model exhibited by the EP is not a hybrid either, because it does not combine properties of competing models (see Haveman and Hayagreeva, 1997).

The existence of the separate staff regulations for staff in the secretariat, political groups and MEPs offices could be explained as a functional necessity and an innovation, which the EP adopted as a result of a learning process or functional adaptation. Given the distribution of resources, we also see that both political groups and MEPs can recruit staff. In other words, resources are distributed among all political actors. The question that remains unanswered is whether there are discrepancies in the distribution of resources that puts one political actor at a disadvantage over the other. However, this is a question on the consequences of the form of legislative assistance was not the purpose of this chapter and will be addressed in Part II of the dissertation.

## 5.5 Conclusion

The information presented in this chapter provides evidence in favour of Hypothesis 1. Hence, the overall conclusion is that the form of legislative assistance in the EP resembles the form that is found in state-parliaments to a great extent. Namely, the EP has its own civil service, it has the right to financially determine its administrative budgets, its political groups and MEPs can employ their own staff, etc. However, the EP's legislative form cannot exclusively be explained by the logic of isomorphism as put forward in Hypothesis 1. Other mechanisms, such as functional adaptation, are also at play. Under what circumstances the form of legislative assistance came to be is the topic that is explored in the next chapter. One of the question that Chapter 6 considers is whether the EP's system of legislative assistance has always resembled a state-parliament and if not, how has it developed.

Table 5.5: Administrative Organisation in State-Legislatures and the EP

	<b>Assemblée nationale</b>	<b>House of Common</b>	<b>Bundestag</b>	<b>US Congress</b>	<b>EP</b>
<b>Central administrations:</b>					
Civil Service Code	Separate from the executive (possible mobility)	Separate from the executive	Same as the executive (possible mobility)	Public employees	Same as the executive
Head of Service	Appointed	Appointed	Appointed	Elected	Appointed
Tasks	Administrative and Legislative Assistance - Procedure - Legal unit - Committee - Research (horizontal)	Administrative and Legislative Assistance - Procedure - Legal unit - Committee - Research (vertical): within the Library	Administrative and Legislative Assistance - Procedure - Legal unit - Committee - Research (vertical): separate RS	Administrative and Legislative Assistance - Procedure - Legal unit	Administrative and Legislative Assistance - Procedure - Legal unit - Committee - Research (horizontal and vertical)
<b>Personal Staff:</b>					
Recruitment	Hired by MP, private contracts	Hired by MP, private contracts	Hired by MP, private contracts	Hired by MP, private contracts	Hired by MP, public contract
Allowance	9 000 EUR	7 000 Pounds	15 000 EUR		17 000 EUR
<b>Political Groups</b>	Financed from parliament budget	Financed from parliament budget	Financed from parliament budget	Parliament budget only for office holders	Financed from parliament budget

## Chapter 6

# The Origin of Legislative Assistance in the EP

In this chapter the origin (or creation) of administrative organisation and legislative assistance in the EP is considered. For this purpose the first decade of European integration, when the EP was known as the Common Assembly of the European Coal and Steel Community (ECSC) is reviewed. The first part spells out the main arguments for theorising the first form of legislative assistance in the EP. Hypotheses on functionality and isomorphic adaptation are considered. The basis for the investigation are Hypotheses 2a and 2b. Hypothesis 2a stipulates that the first form of legislative assistance of the EP follows a functional pattern. Hypothesis 2b is about the cultural expectation on the organisation of legislative assistance. Moreover, a bargaining argument is presented. The second part provides evidence for the hypotheses on the basis of official documents and secondary literature. The findings show some support for Hypotheses 2a and 2b. The Common Assembly was neither organised according to state-legislatures nor was its form purely functional. Theoretically, the creation of EP's legislative assistance in the 1950s is best explained with different new institutionalists logics.

Throughout this chapter and specifically in the formulation of Hypotheses 2a and 2b, legislative assistance is referred to as administrative assistance. This is done in the awareness that the EP, as the Common Assembly, did not have the right to propose or adopt legislative acts. Therefore, in the strictest sense one cannot talk about legislative assistance in the Common Assembly, until the EP was granted legislative powers in the 1980s. Nevertheless, the assistance structures that were adopted in the 1950s are the foundation on which legislative (and budgetary) assistance was built on later on. Moreover, legislative assistance refers to assistance in legislatures rather than to the legislative function of parliament (see Chapter 1).

## 6.1 Theory Application

Chapter 5 provided evidence supporting the assumption that the form of legislative assistance in the seventh term of the EP is similar to the typical organisation in state legislatures. Two obvious questions follow. Has legislative assistance in the EP always resembled state legislatures? And if not, when did legislative assistance in the EP acquire such form?

As a political body the EP has not always exhibited state-parliament characteristics. Quite the opposite, the Schuman Declaration of 9 May 1950 did not even envisage a parliamentary body for the ECSC. In 1952, when the Common Assembly was set up as the forerunner of the EP, it did not have any law-making, financial or amending functions; it was not directly elected and it had budgetary authority neither on its own budget nor on the ECSC's budget. It had the responsibility to control the High Authority, the ECSC's executive type of organ, and the function of deliberation (Articles 20 and 24 of the Paris Treaty 1951). Given these powers and the absence of legislative prerogatives, the Common Assembly resembled an international parliamentary assembly (i.e. inter-parliamentary organisation), such as the Parliamentary Assembly of the Council of Europe (PACE) (Kissling, 2011, pp. 39-40). Most importantly, the Common Assembly did not carry out the crucial activity of any legislature, which is to decide its own budget.

Given the initial mission and prerogatives of the Common Assembly, it is plausible to assume that the EP did not take up state parliament characteristics at the time of the Common Assembly. Following sociological institutionalism and the idea that legitimate models of organisation spread in the field of similar organisations, it is likely that the founding members of the ECSC (i.e. the Six)<sup>1</sup> opted for an inter-parliamentary administrative organisation for the Common Assembly. This meant that the secretariat of the Common Assembly was dependent for its finance and/or personnel either on the governments or national parliaments that constituted it. The problem of this interpretation is that international parliamentary assemblies are relatively recent phenomena. While there are today more than seventy inter-parliamentary assemblies, in the 1950s there were less than ten (Puig, 2008; Šabič, 2008, p. 261). Moreover, only three of them, namely the Inter-Parliamentary Union (IPU, 1889), Nordic Inter-Parliamentary Union (1907) and the Empire Parliamentary Association of the Commonwealth (1911), were functioning before 1945. While the Parliamentary Assembly of the Council of Europe was established in 1949, other parliamentary assemblies with European membership, such as the Western European Union Parliamentary Assembly (1954), North Atlantic Assembly (1956, NATO Parliamentary Assembly) and the OSCE Parliamentary Assembly (1992), were set up after the Common Assembly of the ECSC had been established in 1952. Therefore, what was lacking in the 1950s was a group of inter-parliamentary assemblies constituting a field of organisations from which ideas could be diffused from (DiMaggio and Powell, 1983; see Section 3.2, p. 45). In this sense, it is more logical to assume that the Common Assembly was

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<sup>1</sup>The Six constituting members of the EU are Italy, the Netherlands, Belgium, Luxembourg, France and Germany. These countries are also among the founding members of the Council of Europe.

rather one of the forerunners in the field of international parliaments, which determined the legitimate models of organisation for all subsequent similar organisations.

Despite the likely absence of an organisational field consisting of inter-parliamentary assemblies, the Common Assembly could have nevertheless adopted forms of legislative assistance that are today common among inter-parliamentary organisations. However, rather than as a result of isomorphic adoption, these characteristics are likely to have arisen from concerns on how to make the Common Assembly a functional organisation. This means that the organisation of the Common Assembly's administration was led by consideration of solving a collective problem to make an organisation function. In line with this, the first administrative organisation of the Common Assembly can be explained by its tasks and available resources (Peters, 2005, p. 103). It is therefore assumed that the emergence of the EP's form of legislative assistance is connected with the given incentives and constraints of the environment rather than with internalised ideas and values pertaining to an organisational field. Given that the mission of the Common Assembly was of a consultative nature, it is likely that the first form of administrative assistance exhibited inter-parliamentary characteristics. The hypothesis is ('Functional Hypothesis'):

Hypothesis 2a: The administrative organisation of the ECSC's Common Assembly corresponds to the rational-functional model of organisation.

An alternative to functional organisation is to look at the historical context in which the Common Assembly was set up. This has already been done in the first paragraphs for explaining the diffusion of inter-parliamentary organisations in the 1950s. A similar discussion to the organisational circumstances can be developed on the political conditions in which the ECSC was set up.

A lot has been written on the reasons for setting up the ECSC. The prevalent explanation is that the governments of the Six set up a communitarian institution in order to ensure future peace and stability on the European continent (Messenger, 2006; Gillingham, 2006). The body of literature stressing the mission for peace also emphasises the role of the so-called 'founding fathers' of the European Union and their idea to develop a federal Europe or a united Europe (Monnet, 1978; Duchêne, 1994). Following this federal account, one could assume that there was an interest among those who were responsible to set up the structures of the ECSC to develop them according to a state federal system. Setting up structures, which have supranational characteristics such as, an independent secretariat for the Common Assembly or an autonomous European civil service, would represent a symbolic gain for those that promoted the idea of federal Europe. This means that the historical conditions were in a way demanding to *decouple* the formal structures of legislative assistance from the practical needs of the Common Assembly in the 1950s, which related to the control of the High Authority and deliberations. Such decoupling would have enhanced the organisational legitimacy of the Common Assembly (Scott, 2014, p. 187; Meyer and Rowan, 1977; see Section 3.2, p. 45). In line with this reasoning, the following can be hypothesised ('Decoupling Hypothesis'):

Hypothesis 2b: The federal idea of Europe, as conceived by the founding fathers of the EU, promoted the adoption of state parliament characteristics for the organisation of legislative assistance in the Common Assembly.

Following these two hypotheses, the remaining part of this chapter strives to show to what extent each of the above described institutional logics - sociological and functional - can explain the set up of legislative assistance in the Common Assembly.

So far, the distributive explanation of rational choice institutionalism has not been employed. There are two interrelated reasons for it. First, the decision on the administrative form for the ECSC was not a question on the political agenda in the negotiations over the Paris Treaty. This was mainly due to the fact that administrative issues qualified neither as choices over polity ('higher' level choices such as decision between supranational and intergovernmental designs) nor as questions over practical operations ('low' level of choice such as the selection of policy to be regulated or the scope of decisions) (see Rittberger, 2001, p. 667). Since administrative organisation did not qualify as a salient political issue, it is unlikely that the creation was driven by a bargaining process among the Six founding member states of the EU. Second, even if bargaining over the distribution of legislative assistance resources occurred, the low political saliency of the issue and the historical distance of events do not provide optimal conditions to identify the key actors and their preferences (as the distributive approach would require). There is not enough documentation and information to carry out a game theory model.

## 6.2 The Common Assembly of the ECSC (1952-1958)

As for the case of EP's political structures, the origins of the EP and its administration go back to the Common Assembly of the European Coal and Steel Community (Article 78 [1, 2] of the Paris Treaty, April 1951). The set up of the necessary political (e.g. appointment of delegates) and administrative structures (e.g. organisation, date and location of the first gathering) for the Common Assembly went hand in hand. In order to organise the constituting session of the Common Assembly, a sort of administrative service had to be first set up. From the organisational point of view, the main responsibility to establish the Common Assembly (as well as all the other Community institutions) laid with the High Authority as the institution, which first took office in August 1952. As a result, the ideas of Jean Monnet, the first President of the High Authority and the most prominent 'founding father' of the EU, influenced the organisation of the administrative services of the Common Assembly and the Community as a whole. In addition to Monnet, the Council of Europe (CoE) and the British government also played an important role. Below the positions of these three actors are reviewed.



### 6.2.1 Organising the First Session

#### 6.2.1.1 Council of Europe

The Council of Europe was set up in 1949, three years before the European Coal and Steel Community. Its mission was different compared to the initial mission of the ECSC. As an organisation, which still functions today, the CoE advocates for the protection of human rights, democracy and the rule of law. Among its proponents was the British government under the premiership of Winston Churchill. As a result, the UK was one of the founders of the CoE together with Norway, Denmark, Sweden and the countries, which in 1952 founded the ECSC. Since its beginning, the institutional structure of the CoE consisted also of a parliamentary assembly, which is today known as the Parliamentary Assembly of the CoE (PACE) (in 1949 it was known as the Consultative Assembly).

As the first post-war international organisation with broad European membership, the CoE was the venue where nation states' ideas on post-war Europe played out. While many individuals in continental Europe were advocating for an integration based on supranationalism, the UK favoured integration where states could keep full sovereignty. This debate is visible also in the relations between the CoE and ECSC, when the CoE attempted to become the umbrella organisation for the ECSC.

In 1952, when the ECSC Common Assembly was set up, the Parliamentary Assembly of the CoE had been functioning already for three years. The CoE's *Maison de l'Europe* building in Strasbourg was adapted to accommodate a large number of delegates who spoke different languages. For this reason, the initial idea of the founding members of the ECSC was to organise the first meeting of the Common Assembly in the premises of Council of Europe's Parliamentary Assembly. Holding the first session in Strasbourg, even if the headquarters of the High Authority were in Luxembourg, was a practical decision, since several national representatives to the Common Assembly were also accredited to represent their respective parliaments in the Consultative Assembly of the Council of Europe (Duchêne, 1994, p. 238). However, Jacques Paris, the Secretary General of the CoE, refused to house the constituting session of the Common Assembly unless the CoE's secretariat ran all the secretarial and assistance tasks for the Common Assembly (Monnet, 1978, p. 380; Duchêne 1994, p. 238; Guerrieri, 2010). This is how Monnet described Paris (Monnet, 1978, p. 380):

He thought he was in a position to do battle and - with or without Government backing, I cannot tell - he pushed ahead very boldly, claiming that he and his staff should act as the Secretariat for the meetings of the new Community Assembly.

#### 6.2.1.2 The United Kingdom

Monnet's hesitation is understandable given the British proposal known as the 'Eden Plan', which the British Conservative Foreign Secretary Anthony Eden presented in March 1952

to the Consultative Assembly of the CoE (Council of Europe, 1952d; Haller, 2007, p. 53). In fact, the ‘Eden Plan’ mirrored the ideas of the CoE’s Secretary General. The Plan proposed that all future ‘European “restricted communities”, such as the Coal and Steel Community, which require Ministerial or Parliamentary institutions, should draw upon the facilities existing here in the Council of Europe’ (Council of Europe, 1952c).

The official position of the British Government was that setting up the Common Assembly of the ECSC and its secretariat within the CoE would preserve the unity of Europe. In a memorandum, Eden specified that linking the CoE with the ECSC was necessary in order to make sure that the new European communities developed as part of the Atlantic community (Gowland and Turner, 2012, pp. 30-31). Moreover, Eden hinted that the proposal to reform the CoE’s Statute, which was put forward in 1952, would transform the CoE into a ‘quasi-federal institution,’ which would ‘make it difficult for us [UK] to remain in the Council of Europe’ (Gowland and Turner, 2012, p. 30).

When the ‘Eden Plan’ was discussed in the CoE, the responses from the national delegation in the CoE’s Consultative Assembly were half-hearted (Council of Europe, 1952a; Council of Europe, 1952b). Italian deputies were the ones who most clearly articulated their opinion in saying the proposal was acceptable if it included also the other institutions of the CoE and ECSC (Council of Europe, 1952a):

A single seat (be it at Strasbourg, Saarbrücken or Luxembourg as you wish) would help to identify, in the eyes of public opinion, a European capital and afford a common territory to all the organs of the various institutions. [...] A common roof limited only to the Assemblies would end up by putting a brake on the federalist trend of the Assembly of the Defence Community.

Reservation was expressed also by German and Dutch deputies, who thought that it was difficult to envisage merging the European communities into the CoE, as these were very different organs. In a resolution, the CoE’s Consultative Assembly did neither accept nor reject the ‘Eden Plan’ (Council of Europe, 1952b). However, the resolution importantly noted the supranational aspect of ECSC’s administration (Council of Europe, 1952b):

It would appear advisable to take suitable steps to standardise the regulations affecting the staff of these Communities and of other European Organisations, in order to prevent the danger of the administration of the said Communities and Organisations being carried on in separate compartments. Steps should be taken to draw up the constitution and rules of a real “European Civil Service”.

The ‘Eden Plan’ was unlikely to stop the integrationist trend in continental Europe.

### 6.2.1.3 Jean Monnet

Monnet considered the CoE’s proposal for a common secretariat an attempt to implement the ‘Eden Plan’, which he viewed as ‘a most dangerous suggestion’ (in Duchêne, 1994,

p. 238). In his memoir Monnet wrote about the conflict with the CoE in the following terms (Monnet, 1978, p. 380):

[...] the dispute was more than merely formal: what was at stake was the independence of the Community itself. [...] I had little difficulty in convincing my colleagues of the High Authority that this offer of technical assistance was merely a pretext for the Council of Europe to take over our parliamentary and ministerial institutions.

In addition, Monnet had very clear ideas on what kind of administration he did *not* want for the ECSC's institutions. Out of his suspiciousness for bureaucracy, he opposed the idea expressed by some member states to form a permanent civil service. In Monnet's words (Monnet, 1978, p. 384):

I had found that there was usually an irresistible tendency [in international organisations] to set up an administration with all the features of a national civil service [...]. This, combined with the desire to achieve a balance between the nationals of all the member States, often led to a proliferation of staff and to internal divisions which hindered the flow of ideas.

In his memoir Monnet refers to the organisation of the League of Nations, which he considered an undesired system to imitate (Monnet, 1978, 384 and 373). He defended the principle of a small and flexible administration. In Monnet's view only practice could determine the real organisational needs of the ECSC's institutions. Monnet envisaged that the ECSC's institutions would rely on a small administration, which would be supported by national administrative services (Page, 1997, pp. 4-5).

## Resolution

In response to the dispute with the CoE, Monnet entrusted the organisation of the constituent session of the Common Assembly to the secretaries general from the parliaments of the Six (Monnet, 1978, pp. 380-381; Guerrieri, 2012, pp. 846-848). Emile Blamont, the Secretary General of the French National Assembly, played a key role in resolving the conflict when he arranged the Chamber of Commerce in Strasbourg as an alternative location to the CoE. The proposal from the Council of Europe for a shared secretariat was, therefore, rejected by the ECSC in awareness that if the Common Assembly wanted to develop its prerogative to control the High Authority it needed to establish its own administrative structures (Camenen, 1995, p. 148). Moreover, Monnet, encouraged by Blamont, wrote to the CoE's Secretary General over the importance for the Common Assembly to acquire its own independent administrative structures (Guerrieri, 2012, pp. 846-847; Camenen, 1995, p. 148; Guerrieri, 2008, p. 191). Following these events, the CoE backed down from its proposal and unconditionally offered its premises to the ECSC. As a result, in September 1952 the first session of the ECSC Common Assembly was held in Strasbourg at the premises of the CoE, but without the latter's secretarial support.

### 6.2.2 Form of the Common Assembly Administration

The sessions of the Common Assembly were organised in part by seconded officials from national parliaments (i.e. national aspect) and in part by contractual officials working for the ECSC in the Secretariat of the Common Assembly (i.e. supranational aspect). The seconded officials to the Common Assembly's administration took care of the technical services, while the own administrators of the Common Assembly were supporting members in the discussions. This mixed national and supranational administrative system persisted until the members of the EP were directly elected and the link between the EP and national parliaments slowly eroded.<sup>2</sup>

#### 6.2.2.1 National Aspect

The first central administration of the EP included a temporary service of clerks (i.e. temporary registry), who were seconded from national parliamentary administrations every time the Common Assembly was in session. The temporary registry was divided into a division for meetings and a division for minutes, analysis and shorthand typing. By the end of 1957 there were 101 seconded officials coming to the sessions of the Common Assembly in Strasbourg (European Parliament, 2008, p. 14). The role of these temporary clerks was to take care of the running of the sessions, the minutes and the stenographic services. The temporary service allowed the Common Assembly to have skilled and highly qualified staff on a short notice (Guerrieri, 2012, p. 850). It can be argued that the support from national parliaments to the Common Assembly is an example of (early) inter-parliamentary administrative cooperation.

In addition, every national delegation of legislators received support from respective national parliaments' secretariats. In the first years of the ECSC, the recruitment of officials was controlled by the secretaries general of national parliaments (Camenen, 1995, p. 148). It is therefore not surprising that Marie Frederic de Nerée tot Babberich, the first Secretary General of the Common Assembly, was beforehand the Deputy Secretary General for the Dutch Second Chamber of the States-General (*Tweede Kamer*).

#### 6.2.2.2 Supranational Aspect

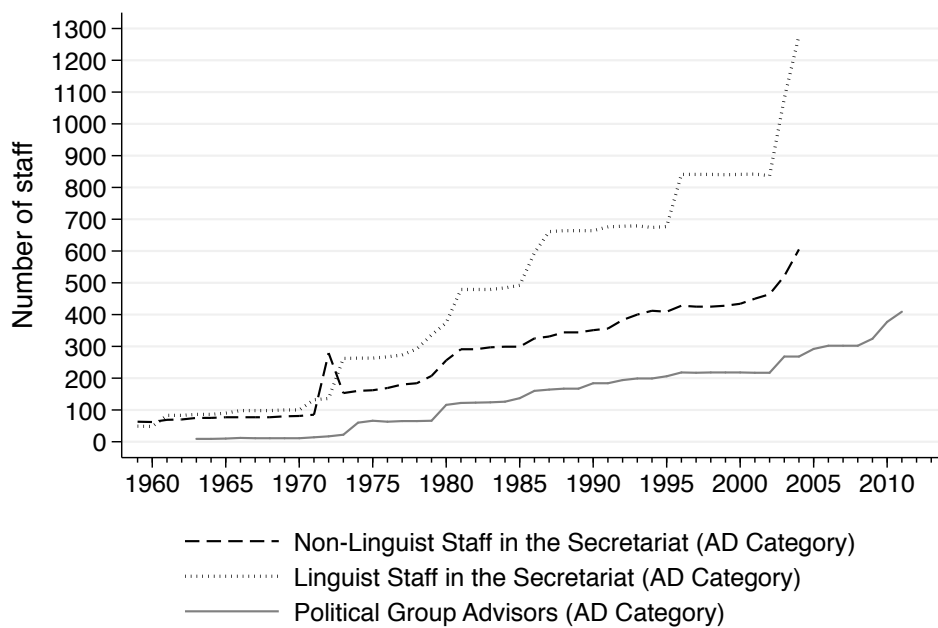
Once the nominated representatives began to meet for the part sessions of the Common Assembly, they devoted attention to developing its political (e.g. mainly political groups and standing committees) as well as administrative structures (e.g. departments, units, administrative rules, etc.).<sup>3</sup> An example are the Rules of Procedure of the Common Assembly, which were adopted in January 1953. The first Rules of Procedure included Article 40, which stated the basic conditions for the functioning of the central secretariat. This

<sup>2</sup>In can be argued that on the administrative level this link was re-established in 1990 when a unit in the secretariat was created for cooperation with national parliaments.

<sup>3</sup>Political groups were officially recognised on 15 June 1953, after Paul Struye introduced an amendment that would insert a new article to the Rules of Procedure of the Common Assembly (*Assemblée Commune de la CECA*, 1956).

article has been maintained almost intact throughout the years and it is today known as Article 207 (Rules of Procedure, 2013). The article specifies that the Bureau, as a leadership body, is the main organiser of the administrative structures of the EP. It appoints the secretary general and other senior positions and it decides the establishment plan for the EP. The Bureau's first establishment plan envisaged 31 staff and considered the principle of national proportionality (Guerrieri, 2000, p. 140; Guerrieri, 2008, p. 191; Guerrieri, 2012, p. 849). This number increased to 58, then to 92 and by the end of the ECSC to 132 permanent staff (Figure 6.1) (Guerrieri, 2008, p. 191; European Parliament, 2008, p. 17).

Figure 6.1: Number of Staff 1958-2011



Data: EC/EU Annual Budgets

In 1955, the Common Assembly adopted the internal rules on the administration, which organised the administrative and parliamentary services into four divisions: 1) Committee Services, 2) Studies, 3) Information and Documentation and 4) General Services and Administration. The committee division was responsible to support members in their control function of the High Authority throughout four committees (i.e. Common Market, Investments, Financial Questions and Production Development, Political Affairs and External Relations, Legal Questions, Rules of the Common Assembly, Petitions and Immunities) and one subcommittee (Competences and Power). The work of representatives developed beyond what the Paris Treaty envisaged in 1952, i.e. the scrutiny of the High Authority's annual report and administrative expenditures. The parliamentary activities, which developed around extraordinary sessions and committees enabled the committee staff to assist in the preparation of reports (Guerrieri, 2012, p. 850). A report, which was prepared by the secretary general and his deputy mentioned that the rapporteurs were not

only giving guidelines to develop committee reports, but they occasionally put in charge committee secretariats to completely elaborate them (in Guerrieri, 2012, p. 850).

The Directorate for Parliamentary Studies prepared reports on the work of other institutions and analysis of community competences. The documentation division published studies on social-economic and institution weakness of the ECSC. Despite the several tasks administrators were in charge of, they did not benefit from secure employment until the adoption of the Staff Regulation.

**Staff Regulation** The adoption of the Staff Regulation was a contentious issue in the ECSC (Guerrieri, 2000, p. 148). Several individuals, among others Monnet, resisted the idea of a permanent European civil service. Opposition lay also within the Common Assembly, where the number of staff began to swell, while an immutable number of representatives (78) met between once and five times a year.<sup>4</sup> It is exactly this asymmetry between a permanent administration and a ‘part-time’ political institution, which lead political scientists to assume that the general secretariat of the EP could have exercised significant power in the first decades of the EP up until direct elections in 1979 (Camenen, 1995; Costa, 2003).

The absence of a staff regulation meant that staff were hired on temporary contracts and in a personalised manner. Monnet wrote (Monnet, 1978, p. 384):

[...] we recruited very sparingly. I personally interviewed all the candidates; I consulted my colleagues about them and I took decisions, I must confess, only after much hesitation. Every organism has its own natural rate of growth. To preserve its character, ours had to absorb new elements slowly.

It was only after Monnet left office that the High Authority of the ECSC adopted the first regulation on staff in 1956.<sup>5</sup> This paved the way for the organisation of a civil service in the sense of a Weberian bureaucracy. The ECSC started to develop a separated civil service from its member states (Page, 1997, p. 7). The first staff regulation specifically stated that Community staff were ‘supranational officials’ (Article 1, Staff Regulations, 1957). Even though, the formulation was dropped after its first revision in 1962.

The 1956 Staff Regulation was applicable to all permanent and temporary officials working for the ECSC including the Common Assembly. However, it did not include provisions for persons working in political groups. Nevertheless, the Regulation had already institutionalised the possibility for the detachment of officials to other Community institutions, national or supranational, private or public bodies (Articles 30 and 32). In practice this meant that the permanent officials of the Community, hence the Common Assembly, could

<sup>4</sup>For example, Paul Struye (Belgian Senate) and Nicolas Margue (Luxembourgish Chamber of Deputies), Demo-Christian members of the *Commission de la Comptabilité de l’administration*, questioned the existence of a permanent secretariat and the increase of human resources.

<sup>5</sup>The regulation was adopted independently from the Common Assembly, which did not have any decision-making right in the matter. This changed when the staff regulation was amended in 1962 and the EP as the Parliamentary Assembly had to be consulted.

be seconded to political groups, while retaining their status as officials and the possibility to return to the permanent service.

Between 1956 and 2013, rules applicable to the Community personnel were amended 131 times. The majority of the amendments related to the adjustment of remuneration and pension. Most of the basic provisions remained unchanged. For example, the first staff regulation included the still valid provisions, which allows recruitment from the ‘broadest possible geographical basis from among nationals of Member States’ (Article 28, Staff Regulations, 1957; today Article 27, Staff Regulations, 2013). The basic hiring requirements have also not changed and they include the criteria on citizenship, appropriate character and knowledge (Article 3 in Annex II and Article 27, Staff Regulations, 1957; Article 28, Staff Regulations, 2013).

### 6.2.2.3 Allowance for Political Groups and Members

In June 1953, the Common Assembly set up political groups and decided to grant them a financial contribution from the budget of the Assembly. The first three political groups, Christian Democrats, Socialists and Liberals, organised their administrations into separate secretariats, with headquarters in Rue Beaumont, Luxembourg. This represented an important departure from the practice in inter-parliamentary assemblies in which members had been grouped in national delegations and assisted by national parliamentary administrations (Guerrieri, 2000, p. 137).

As in the case of the general secretariat, the decision to finance political groups from the Common Assembly’s budget was contested. The Belgian representative Struye (Belgian Senate), together with two Dutch representatives, Korthals (*Tweede Kamer*, Non-Attached) and Rip (Senate, Christian-Democratic Group), claimed that the use of funds from the Common Assembly’s budget to finance the organisation of political groups was against the rules (Guerrieri, 2000, p. 141; Guerrieri, 2008, p. 188). The French delegate Laffargue proposed to give both, individual representatives and political groups an allowance, where the individual allowance could be used for financing political groups. The discussion in the Common Assembly coincided with the debate on the secretarial allowance in the French National Assembly. Laffargue’s proposal mirrored the system that was eventually adopted in the French National Assembly, where members of parliament can renounce their allowance for the benefit of their respective parliamentary group.

Other politicians, among whom the German member of the *Bundestag* Werner (Socialists Group) and the Dutch member of the *Tweede Kamer* Sassen (President of the Christian-Democratic Group), defended the use of budgetary resources for the financing of political groups. At the end the decision that was taken allocated each group a fixed allowance and an additional amount to every member. How members were to use this allowance was not defined. In practice the individual allowance enabled the non-attached delegates (mainly Communists) to pool resources together and employ assistants. In cases where a delegate was a member of a political group, then the individual allowance would

often go to political groups. The personality and character of individual representatives was therefore subdued for the benefit of political groups.

### 6.3 Discussion

The first formal structures guiding the organisation of legislative assistance in the EP were set up already in the 1950s. The administration of that time resembled only partially the present structures in the EP as described in Chapter 5. This is an indication that the EP did not develop an organisation similar to state legislatures from its beginning as the ECSC Common Assembly.

**Functionalism** Given the evidence in this chapter, the choices made in the early 1950s were the result of a combination of inter-parliamentary and parliamentary administrative elements. The organisation of administrative assistance on the level of national delegations is a characteristic of inter-parliamentary assemblies, such as the Council of Europe. Staff from national parliament supported the national delegations in the Common Assembly. Temporary clerks, which were seconded from national parliaments to the Common Assembly each time it was in session, complemented the support of national parliaments to national delegations. The Common Assembly combined different elements to carry out its function (H2a).

**Decoupling** On the contrary, the organisation of administrative assistance on the level of political groups is a feature of legislatures, albeit the Common Assembly was not a legislature. Since the Common Assembly formally acknowledged political groups in its Rules of Procedure, each of the political groups set up also an administrative secretariat. In comparison, the first internal rules of the CoE's PACE (1949), which also operates with transnational political groups, did not contain any provision on the role of political groups. PACE's political groups were formally granted certain rights only in 1964, or more than ten years after political groups were recognised in the EP. In addition, the Common Assembly never enshrined in its rules of procedure the principle of national delegations (i.e. the organisation of representatives according to nationality rather than political party), which on the contrary, has been recognised in the Council of Europe from its beginning.

Given the data, it seems that different institutional mechanisms were at work in devising the first form of administrative assistance. There is some evidence that the diffusion of parliamentary organisation occurred, and that some organisational structures were decoupled from the functional mission of the Common Assembly (H2b). For example, it is not clear how the set up of political groups and their financing through the ECSC's budget was connected with the Common Assembly's control function over the High Authority in the steel and coal sector. While the establishment of political groups was not necessary for the formal mission of the Common Assembly, the members of the Common Assembly



deliberately developed their role beyond their formal mandate and political staff was seen as a necessary part of it.

The adoption of a state-parliament model is further sustained by the ECSC's response to the UK-backed CoE's proposal for shared administrative services with the CoE's Consultative Assembly. The proposal's refusal can be seen as an (ideational) dismissal of the inter-parliamentary design, or as an act of defence of federal Europe. Surprisingly, Monnet, as the main proponent of a federally organised Europe, opposed the idea of a European civil service. Ideas over federalism were not on Monnet's mind when he was considering how to administratively organise the ECSC. In 1953, Monnet's goal was to avoid the pitfalls he had personally witnessed in the secretariat of the League of Nations. His priority was to set up an administrative service, which would guarantee the Common Assembly independence to perform its tasks. In his view, such service was neither possible through the creation of an administration with features of a civil service nor through the CoE.

The administrative independence of the Common Assembly was achieved through a mix of inter-parliamentary and parliamentary elements, which were easy to change to respond to the future needs of the EP. Monnet's considerations were therefore functional. Nevertheless, this did not impede the adoption of state-legislature features. Evidence shows that the federal ideas of 'founding fathers' did not necessarily promote a supranational state-legislature organisation. On the contrary, the retirement of Monnet facilitated the adoption of Staff Regulation and the establishment of a European civil service. In respect to Monnet, it is interesting to observe that the Common Assembly (and the ECSC in general) survived and evolved beyond its most prominent founder. This leads to the conclusion that institutions can be autonomous from its founders.

Summing up, the EP started to acquire administrative structures pertaining to state-legislatures already at the time of the ECSC. Therefore, it is possible to conclude that federal ideas have likely promoted the adoption of state-parliament characteristics in the administrative organisation of the Common Assembly (H2b). Even though, state-parliament features were not necessarily linked the Jean Monnet. This implies that only part of the Common Assembly's administrative organisation corresponded to the rational-functional model of organisation (H2a). However, in 1952 the administration of the EP did not resemble completely neither to a parliament nor to a (functional) inter-parliamentary organisation.

**Bargaining** While assumed otherwise, there is evidence of bargaining in the early 1950s. This can be seen in two cases: the conflicting interests among the CoE, the UK and ECSC, but also in the Common Assembly's debates on the financing of individual delegates and/or political groups. In the first case, it is more appropriate to speak about a clash of interests and ideas rather than of distributive bargaining. Monnet and the secretaries general of the Six national parliaments joined forces to reject the UK-backed CoE's proposal for shared administrative services between the CoE's Parliamentary Assembly and the ECSC's Common Assembly. Strategic behaviour is perhaps the most visible in the case of the UK,

which through the ‘Eden Plan’ sought to preserve a role in European integration albeit choosing to stay outside the formal membership of the ECSC.

The second case on the secretarial allowance resembles more to a distributive scenario. The main contestation issue was how funds should be distributed among individual delegates and political groups. It is not surprising to observe a distributive conflict, since the secretarial allowance is a physical resource (e.g. office space, office equipment, money, etc.). The resolution of the allowance question shows how political groups prevailed over individual delegates already at an early stage in the history of the EP. The prevailing force of political groups over individual members would later on not only be visible on the funding level, but also politically in terms of voting patterns (Hix et al., 2009).

Given the data that is available, it can be concluded that multiple institutional logics were at work in the set up of legislative assistance in the EP (Scott, 2014, p. 188). The main visible process is that the functionality of the Common Assembly’s administrative services was permeated with ideas, which went beyond functional purpose: the Common Assembly adopted elements, which are characteristics for parliament even though it was only a deliberative and control body without any decision-making rights. It can be said that the Common Assembly adopted administrative forms based on ideas, which were deemed functional for the long run rather than for its formal role in the 1950s. It is said that organisations are more likely to decouple structure from practices when there is a high symbolic gain (Westphal and Zajac, 1994). This can explain the particular administrative form of the Common Assembly, as Jean Monnet and other politicians promoted the development of supranational cooperation, which would go beyond steel and coal. Moreover, when there is clarity on the goals to pursue, as in the case of the EU, the imitation of already existing designs are less likely to occur than when there is uncertainty and ambiguity. Ideas on the future development of European integration are likely to have shaped the form of organisation in the 1950s. As such, the case of the Common Assembly is an example of an institutional scenario, where the act of organising is transcendent to functional properties.

## 6.4 Conclusion

To sum up, the organisation of legislative assistance in the Common Assembly is a good example for showing how different institutional logics can complement each other and work at the same time. The case of administrative organisation in the Common Assembly exhibits functional, sociological and bargaining logics of new institutionalism. For the latter, the conclusions in this chapter are less firmly grounded in data, because there is not enough information to identify all the relevant actors and their interests. The Common Assembly adopted parliamentary-like administrative structures, because they were deemed functional. At the same time, it also adopted characteristics that do not pertain to the model of parliament, which provide further evidence for the functional explanation of organisational form. Based on this it can be concluded that there is mixed evidence for

Hypotheses 2a and 2b. The Common Assembly developed some structures according to state parliament characteristic (H2b). However, the form was pursued for its functional properties only partially (H2a) and in some respect functionality was argued on the basis of ideas rather than the formal mission of the Common Assembly.



## Chapter 7

# The Changing Nature of Legislative Assistance in the EP

The previous two chapters have looked at the form of legislative assistance at the inception of the EP (Chapter 6) and in the present (i.e. seventh term, Chapter 5). This chapter considers the changes in the time in-between. The first part of the chapter presents the assumptions and hypotheses (H3a, H3b and H3c). Change is explained by drawing on the functional version of rational choice institutionalism (H3a), sociological (H3b) and historical (H3c) institutionalism. After these theoretical approaches are applied, there are five sections, which consider changes in the form of legislative assistance by decade. Evidence is based on the author's interview data, official documents and secondary literature. Generated data shows that an isomorphic logic in terms of adopting parliamentary characteristics has become clearer with every decade (H3b). Functional adaptation is present in the 1960s and 1970s (H3a), but stalls afterwards. From the 1980s onwards, developments are slow as theorised in historical institutionalism (H3c). Moreover, the slow phaseout of national elements (i.e. temporary clerk service) and the adoption of new parliamentary features shows how the EP follows the path initiated in the 1950s. The bargaining element that was tentatively identified in the formative phase of the EP's administration becomes more visible in subsequent decades.

### 7.1 Theory Application

In rational choice institutionalism, change is commonly understood as the result of an exogenous event that disrupts the established order (Steinmo and Thelen, 1998, p. 15). A number of events have shaped the EP such as, enlargements, treaty revisions (increases of powers) and direct elections (1979). From 1973 onwards, the EU extended its membership seven times. Each time the number of MEPs and official languages increased (Table 7.1). From a deliberative assembly, the EP acquired a consultative power in 1958, and from then on it gradually gained the power to decide on legislation together with the Council (Table 7.2).

Table 7.1: EU Enlargements

Year	Enlargement, countries (Population in million)	N of MEPs (Change from previous year)	Languages (Number)
1973	1st: UK, Ireland, Denmark (64)	198 (+56: 10 Irish, 10 Danish and 36 British MEPs)	6
1981	2nd: Greece (9)	434 (+24 Greek MEPs)	7
1986	3rd: Portugal, Spain (49)	518 (+84: 60 Spanish and 24 Portuguese MEPs)	9
1995	4th: Austria, Finland Sweden (22)	626 (+59: 21 Austrian, 16 Finnish and 22 Swedish MEPs)	11
2004	5th: Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia (75)	732 (+106: 6 Cypriots, 24 Czech, 6 Estonian, 24 Hungarian, 9 Latvian, 13 Lithuanian, 5 Maltese, 54 Polish, 14 Slovak and 7 Slovene MEPs)	21
2007	6th: Romania, Bulgaria (30)	785 (+53: Bulgarian 18 and 35 Romanian MEPs )	23
2013	7th: Croatia	766 (+12 MEPs)*	24

Note: \* The Lisbon Treaty in 2009 set the limit to 751 MEPs. This number was achieved in 2014.

The EP's former Secretary General Julian Priestley has written that the central administration of the EP has evolved in parallel with the evolution of MEPs' role and powers (Priestley, 2000, p. 440). Following this logic, it is assumed that legislative assistance has changed concurrently to the events that have politically shaped the EP. Hence, administrative changes in the EP should be linked to the changing environment in the EP and EU. However, which specific conditions in the changing environment have affected legislative assistance?

With each political reform or enlargement, the diversity of the EP in terms of membership and languages increased. Enlargement has put a strain on the administrative structures of the EP in terms of translation capacities. Due to enlargement, the EP had to acquire new buildings and hire additional staff. However, membership changes mostly affected the linguistic services of the EP. On the contrary, enlargement and the inherent increase of the number of national parties did not fragment the parliament or affect the voting cohesiveness within political groups (Hix and Noury, 2009). In this respect, it is unlikely that enlargements have altered the practices and structures in the organisation of legislative assistance.

On the contrary, several treaty changes from 1958 onwards have enhanced the role of the EP in terms legislative procedures and policy competences. From obtaining budgetary powers (1970s), to direct elections (1979) and further legislative powers (1980s to 2000s), the EP has developed into a policy-influencing legislature, with the right to modify, reject and even propose laws via its right of initiative (Norton, 1994). It is therefore assumed that legislative assistance had to adapt to each treaty revision.

Moreover, with each treaty reform, the EP has steadily acquired new prerogatives

Table 7.2: EP's Competences

<b>Treaty/Decisions</b>	<b>Entry into force</b>	<b>Competence</b>
Rome Treaty	1 January 1958	Consultative power
Luxembourg Treaty	22 April 1970	Budgetary powers
Joint declaration	4 March 1975	Conciliation procedure (budgetary affairs)
Brussels Treaty	22 July 1975	Budgetary powers
SEA	1 July 1987	Cooperation and assent procedure
Maastricht Treaty	1 November 1993	Codecision (15 legal bases)
Amsterdam Treaty	1 May 1999	Extension of Codecision (32 legal bases)
Nice Treaty	1 February 2003	Extension of Codecision (37 legal bases)
Lisbon Treaty	1 January 2009	Extension of Codecision (85 legal bases)

similar to state-legislatures (i.e. parliamentarization or the institutionalisation of representative democracy; Rittberger, 2005). In line with these developments, the expectation is that the EP administration has developed according to a model of organisation, which is perceived legitimate for a democratic parliament. The following two hypotheses are suggested ('Functional Hypothesis' and 'Isomorphic Hypothesis'):

Hypothesis 3a: Since 1958, legislative assistance in the EP has changed in parallel and as a result of treaty revisions.

Hypothesis 3b: The form of legislative assistance has changed in line with the model of state-legislatures.

It is suggested that the EP adopted parliamentary models of administrative organisation as a functional and isomorphic necessity according to the functional version of rational choice and sociological institutionalism.

Even if changes did not follow treaty revisions (i.e. extension of competences) and the political transformation of the EP, it is still plausible to assume that change towards an administrative state-parliament model occurred at a certain point. Since the EP did not evolve into a parliament by night, the same might also not have happened to its administration. According to historical institutionalism change can be path-dependent and gradual (Pierson, 2000a). Namely, institutions do not always promptly adapt to the changed environment. They are autonomous in respect to responding to emerging challenges (as seen for the Common Assembly, Chapter 6). Moreover, historical institutionalism presumes that institutions follow an incremental logic of change ('path dependency') alongside trajectories or paths that have been determined by earlier institutional choices at 'critical junctures' (Ikenberry, 1994; Pierson, 2000a; Collier and Collier, 2002). Hence, it can be assumed that legislative assistance in the EP has changed according to a parliament-state model that was coined in the 1950s the 'critical juncture' for EP's legislative assistance), but that administrative change did not necessarily parallel treaty revisions. The following hypothesis is put forward ('Path-Dependency Hypothesis'):

Hypothesis 3c: The form of legislative assistance in the EP has *gradually* changed in line with the model of state-legislatures.

Hypothesis 3c is in line with the isomorphic assumption in H3b, but contradicts H3a, where the assumption is that administrative change is synchronous to treaty revisions.

The last issue that needs to be addressed is the balance between different staff groups in the EP. Once more the views of the former Secretary General Priestley offer a point of departure. Priestley has claimed that compared to thirty years ago, the role and legislative work in the political group secretariats has increased on the expense of the general secretariat (Interview C, 2012). The change is mainly associated with the first direct elections in 1979 and treaty reforms giving the EP legislative powers (Single European Act in 1986/87 and the Maastricht Treaty 1991/93). This is to say that before MEPs became directly elected and full-time representatives of the people, the general secretariat had worked under little supervision or control from MEPs. Staff in the general secretariat were independent from their political principals. Besides the physical absence of MEPs, the EP did not exercise any budgetary or legislative powers before the 1970s and 1980s respectively. MEPs were disinterested in EU affairs since their involvement had little impact. Given these circumstances, the administration of the EP was an autonomous actor. As the political saliency of the EP increased, the role of the central administration started to diminish and new administrative actors appeared.

These events can be theorised with rational choice institutionalism that considers the power of individual social actors. The distributive (or power) approach of rational choice institutionalism assumes that an institutional equilibrium is the result of the distribution of power among different actors (general secretariat, political groups and MEPs) at a given time (Knight, 1992, pp. 32-34; Knight, 1998; see also North, 1990). As power shifts from one actor to another, so it changes also the institutional arrangement. Change is not anymore the result of an efficiency or adaptation process to a changing situation, but the manifestation of power resources allocation. From focusing on the aggregate effects of an organisation, distributive rational choice institutionalism shifts attention to the benefits of individual social actors.

For the same reasons as in the previous two chapters, evidence for change is not sought on the basis of a distributional hypothesis. However, since distributive elements appeared in the cases of the creation of the legislative assistance (Chapter 6), the possibility that change can be associated to the redistribution of resources is kept in mind.

## 7.2 European Communities in the 1960s

In 1958 the Rome Treaty came into force and the Common Assembly of the ECSC was expanded to cover the newly established European Economic Community and European Atomic Energy Community. The Common Assembly was renamed into the Parliamentary Assembly of the Communities and in 1962 the Assembly issued a resolution in which it proclaimed itself as the European Parliament. Under the new name the Parliament held its first session in March 1958 in Strasbourg. The Treaty granted the EP a consultative role. The number of committees increased to ten standing and one temporary committee; from



78 representatives the Assembly now included 142 delegates from national parliaments. The increase in the policy areas, where the Community made legislation meant that the Parliament was consulted more often than before. The total number of weeks in session increased from three to five per year. The number of sessions per year increased from a maximum of five in the period of the ECSC to a maximum of twelve sessions in the 1960s (European Parliament, 1982, p. 144).

### 7.2.1 Central Administration

The Parliamentary Assembly of the European Economic Community inherited the administrative structures of the ECSC Common Assembly (Guerrieri, 2012, p. 852). However, the general secretariat was reformed almost immediately after the first session in May 1958 in order to increase the efficiency of the services. The changes that were adopted aimed towards a greater specialisation of parliamentary services. The general secretariat was restructured into five departments with several new internal units (European Parliament, 2008, pp. 16-17). These departments were: Committees and Parliamentary Studies, Information and Parliamentary Documentation, Administration, General Services and Presidency. The department Committees and Parliamentary Studies was further split into two units, one was responsible for staffing committee secretariats<sup>1</sup> and a second one, which carried out parliamentary research. In 1962, under the newly appointed Secretary General Hans R. Nord, the departments were renamed into the present directorate generals (Parlement Européen, 1963). The division for legislative assistance, which was established in 1963, persisted until 2003.

In parallel to political events (i.e. the entry into force of the Rome Treaty), the legislative services and the people working therein became increasingly important (Guerrieri, 2012, p. 854). Enrico Vinci, who was to become the fourth Secretary General in 1986, remembers that MEPs were pleased to have competent and active staff, since they had very limited knowledge on the technical aspects of Community policies (Interview E, 2012):

The European Community and economic integration involved some very difficult technical aspects. The parliamentarian was having great difficulties in understanding these technicalities. Imagine, that at a certain point, when the Common Agriculture Policy became operational [1962], common prices had to be fixed. Who knew how to do it? The deputy had no idea and it was the official, whose advantage was to be a technician that knew what common prices meant. The European functionaries, who stayed in Luxembourg 365 days a year

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<sup>1</sup>In 1962, seven units within DG Committees and Parliamentary Studies staffed thirteen committees : Questions relevant de la compétence des commissions politique et du commerce extérieur, Questions relevant de la compétence des commissions du marché intérieur et des budgets et de l'administration, Questions relevant de la compétence des commissions économique et financière et du transport, Questions relevant de la compétence de la commission pour la coopération avec des pays en voie de développement, Questions relevant de la compétence de la commission de l'agriculture, Questions relevant de la compétence des commissions sociale et de l'énergie, Questions relevant de la compétence des commissions de la protection sanitaire, de la recherche et de la culture et du règlement.

knew much more than parliamentarians, who came to the EP for five weeks per year. And because many things were being done on a technical level, there was less politics and members were less interested in the Communities. There was more technocracy than politics. In fact, many critics say that the European Community is a technocratic community and that the functionaries are doing too much. And under certain aspects they are right. For many decades, the officials were in charge. When we were discussing the budget, you would for example stand up and say “We need to make sure that the own resources...” and everybody would be looking at you and asking “But what are the own resources?”

By the end of the 1960s, the important role of secretariat staff was formally recognised by the Finance and Budget Committee. In one of its reports it stated that the staff of the Community have been the cornerstone of the EP, which had allowed appointed representatives to successfully carry out their work in complex conditions (Report of the Finance and Budget Committee, doc. 85, 26 June 1968 in Guerrieri, 2012, p. 855).

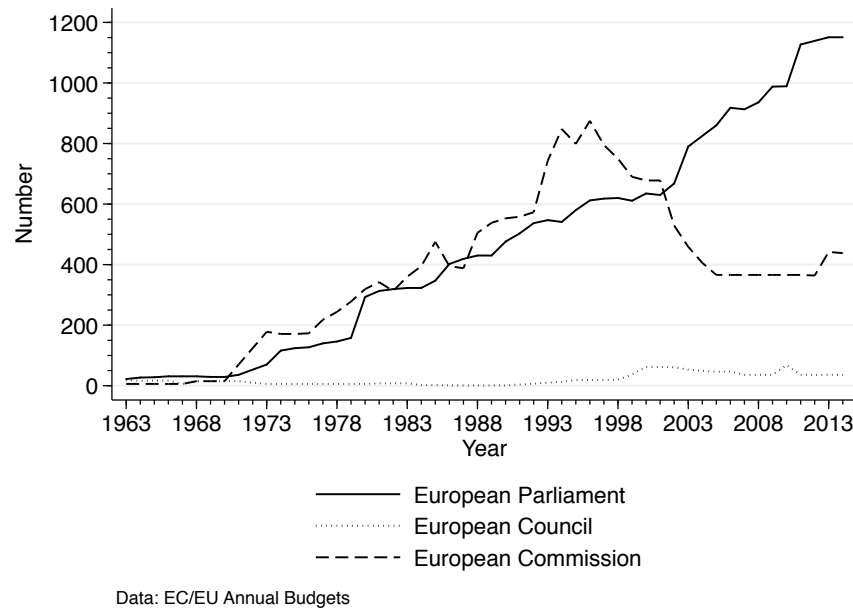
**National Aspect** The national aspect consisting of a temporary secretariat, which was composed of seconded officials from national parliaments’ administrations, continued to exist throughout the 1960s and 1970s. Nevertheless, national parliaments singled that they could no longer sustain their tasks in the temporary registry or continue to second a large number of officials to the EP (Guerrieri, 2012; European Parliament, 2008, p. 14). Hence, the EP strengthened its central administration.

### 7.2.2 Political Groups

**Conditions of Employment of Other Servants** In 1962, the Staff Regulation was reformed for the first time. The new rules (‘Conditions of Employment of Other Servants of the European Communities’ or CEOS) introduced the category of temporary agents. The reform’s aim was to regulate the employment of those individuals who worked for the EC institutions, but did not have the status of civil servants. In the 1960s, the EP employed the majority of temporary agents (Figure 7.1). For example, in the 1960s the EP employed a maximum of 31, the Council 10 and the Commission 15 temporary staff. Furthermore, most of EP’s temporary agents have been working in the secretariats of political group. Therefore, the CEOS regulated in particular the position of political group advisors in the EP. Given their newly acquired status in the 1960s, the employees of political groups strengthened their position vis-à-vis the permanent officials of the EP.

**Politicisation** In the 1960s, political groups were gaining ground through the status of their staff, but also through the ranks of the general secretariat. Namely, the first signs of political involvement appeared in the recruitment of high-ranking officials in the general secretariat (Camenen, 1995, p. 149, Guerrieri, 2012, p. 853). Hans Furler, the EP’s Pres-

Figure 7.1: Number of Temporary Agents



ident from 1960 to 1962, wanted to designate a politically experienced secretary general. Under Furler's influence, the Bureau (i.e. EP's leadership organ on administrative matters) discharged the Secretary General de Nerée tot Babberich and his German Deputy Walter Hummelsheim. Available accounts suggest that aggravated relations between the Secretary General and his Deputy affected the working atmosphere in the EP and contributed to their sacking. However, the removal signalled a clear power play of politicians over administrators.<sup>2</sup> According to Camenen (1995, p. 149), politicians wanted to signal to the secretariat that it needed to fall under their control.

### 7.3 The Decade of the Budget and Direct Elections (1970s)

Compared to the 1960s, the 1970s were marked with several political events, such as the acquisition of budgetary powers, the first enlargement and direct elections. The parliamentary activity of the EP stepped up, even though not in areas of legislation, where the EP still occupied only a consultative role. On the contrary, the competences of the EP in the area of control increased substantially. In the 1970s, the Community treaties were amended for the first time. The Parliament had now a say on its own budget, it could

<sup>2</sup>Despite the discharge of the secretary general and Furler's apparent wish to designate a politically experienced secretary general, the newly appointed Secretary General Dutch lawyer Hans R. Nord - appointed with a delay in 1961 - did not show such qualities. At least not in the beginning. In 1979, after eighteen years of service in the highest post of the EP administration, Nord stood for the first European elections on the Dutch People's Party for Freedom and Democracy (*Volkspartij voor Vrijheid en Democratie*, VVD). He was elected in 1979 and 1984, after which he retired. Up to today Nord has been the only secretary general who moved from the administrative to the political side of the EP.

propose amendments to the Community budget, it had the last word on non-compulsory expenditures of the Community (Treaty of Luxembourg 1970) and from 1977 onwards it could also reject the annual budget as a whole (Brussels Treaty 1975). The conciliation committee between the EP and Council was set up for the Commission's proposals with appreciable financial implications (Joint Declaration 1975). After the first direct elections in 1979, members started to shift their focus from their work in national parliaments to the European Parliament. Direct elections gave MEPs legitimacy to make decisions, while the budgetary treaties presented them with the opportunity to take decisions on Community policies. The 1970s therefore importantly marked the future developments of the EP and the EU.

### 7.3.1 Central Administration

Even though the EP remained in an inferior position to the Council, the latter began to systematically consult the former in the vast majority of legislative proposals. Hence, the parliamentary activity in the EP's committees increased. In the 1970s, MEPs spent on average 13 hours more in Strasbourg and Luxembourg than in the 1960s.<sup>3</sup> The consultation procedure meant that a series of reports had to be drafted, discussed and voted upon in the committee and plenary. Despite the increased activity and members' involvement in EU affairs, it appears that the committee staff employed in the general secretariat wrote most of the reports. This is confirmed by the former Secretary General Julian Priestley (Interview C, 2012): 'I remember a time, before 1979 when the secretariat was writing the reports and you were lucky if the members read them.'

The adoption of two budgetary treaties (Luxembourg Treaty and Brussels Treaty) directed a significant amount of human resources towards the staffing of the Budgets committee, which in 1977 included seven administrators, among whom also Priestley (European Parliament, 1977). The staff of other committees ranged from two to five administrators (Table 7.3). The EP's rejection of the Community budget for 1980 is a telling example of the importance of the Budgets committee staff. The EP, represented by the Socialists Dutch rapporteur Piet Dankert for the Budgets committee, advocated for a change to the Community financing of the Common Agriculture Policy (Priestley, 2008, pp. 7-19). Since the Council and the Commission did not engage in meaningful negotiations with the EP, the latter rejected the proposal for the 1980 budget at its plenary in December 1979. The staff from the Budgets committee played an important role in assisting Dankert. It was in fact the staff that drafted the ambitious resolution on the 1980 budget. Priestley (2008, p. 13) describes that after the committee submitted the draft, the rapporteur Dankert said: 'It'll never get through, but leave it for the moment.' Moreover, when Dankert was asked to draft a joint declaration between the EP and Council on the future talks over the budget, it was to the committee secretariat that Dankert turned to: 'And so, late at night, he [Dankert], which his officials, started drafting and before midnight produced the first

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<sup>3</sup>The calculation is based on data provided in European Parliament 1982, pp. 144-145.

Table 7.3: Number of Staff per Committees in 1977

Committee	Sec	SOC	CD	LIB	EPD	EC	K
Political Affairs	3	1	1	1	1	1	0.3
Legal Affairs	4	0.5	0.5	0	0.3	1	0.5
Rules, Procedure, Petitions	2	0.5	0.5	0	0.3	0	0.3
Development and Cooperation	4	1	0.5	0.5	0.3	0.5	0.3
Economic and Monetary Affairs	5	1	0.5	0.5	0.5	0.9	1.3
Agriculture	5	1	1	0.5	1	0.5	0.9
Energy and Research	4	1	0.5	1	0.3	0.5	0
External Economic Relations	5	1	1	0.5	0.3	0.3	0.3
Budgets	7	1	0.5	0.5	0.3	1	0.3
Social Affairs, Employment, Education	4	1	1	0.5	0	0.5	0.3
Regional Policy, Planning, Transport	5	1	0.5	0.5	1	0.3	0
Envi., Public Health, Consumer Prot.	4	1	0.5	0.5	0.5	0.5	0.3
Total	52	11	8	6	6	7	5

Legend: Sec - Secretariat, SOC - Socialists, CD - Christian-Democrats, LIB - Liberals and Democrat, EPD -European Progressive Democrats EC - European Conservatives, K - Communists and Allies. The decimal figures mean that one person work in more than one committee secretariat.

Source: European Parliament, 1977

shot' (Priestley, 2008, p. 17).

These examples show that the secretariat of the Budgets committee clearly played a supportive role to the rapporteur. Throughout the years the staff working on budgetary affairs would retain their importance, which can be explained by the complexity of the budgetary procedure. A Honorary Director of the EP described the situation in the Budgets committees in the following way: 'The people who were there [working on budgetary issues in the secretariat] had been there forever and they knew exactly what was happening. When they were talking together, you didn't understand anything' (Interview F, 2012).

### 7.3.2 Political Groups

The internal administrative structures of political groups, which by the end of the 1970s were already six (i.e. Socialists, Christian-Democrats, Liberals & Democrats, European Progressive Democrats, European Conservatives and Communists & Allies) started to resemble the one in the central secretariat, where policy work was committee based. Almost all the groups had staff based in Brussels. Political groups took over from national parliaments the task to staff national delegations. The assistance provided in political groups paid more attention to ideology than the national affiliation of MEPs. This strengthened the supranational character of legislative assistance.

However, the political groups' human resources for following committees remained small compared to the committee staff affiliated to the general secretariat (Table 7.3). While the general secretariat employed at least two officials per committee, most advisors in political groups had to cover more than one committee at the same time. The number of staff per political group respected the number of MEPs. The Socialists had the largest number of staff as the group with the most members of parliament. However, their staff were five times smaller compared to the central secretariat of the EP. The situation started to

change at the end of the 1970s. It is immediately after 1979 that the greatest growth of staff expenditures is observed (Figure 7.4). Political groups developed from ‘skeletons to robust secretariats’ (Interview D, 2012).

The relative weakness of political groups in the early 1970s can also be seen in the role of their secretary-generals. In addition to their supportive function of the most important political bodies in the Parliament, secretary-generals followed also the work of committees (i.e. the Political Affairs committee) or coordinated their work. Today, the secretary-generals of political groups are less involved in the initial stages of a policy proposal, while their engagement increases as the proposal comes closer to be discussed in the plenary (Interview ZD, 2013).

### 7.3.3 Members’ Personal Staff

The 1970s were also important for the development of personal assistance to MEPs. For the first two decades of European integration, the appointed members of the EP did not receive any allowance, which would have enabled them to systematically recruit personal staff for working in Strasbourg. Members received only a subsistence allowance, which covered their cost of travelling for attending EP meetings.<sup>4</sup> In light of members’ double mandate as national and European parliamentarians they were paid by national parliaments. Consequently, the resources they had at their disposal were dependent on their respective national parliaments. Civil servants from the national parliaments provided assistance in the form of national delegation secretariats.

In 1974, members gained a new resource for individual assistance, when a secretarial allowance was introduced specifically for covering the cost of personal assistants and the maintenance of an office (European Parliament 1982, p. 177; see Figure 7.2). However, the role of assistants developed towards an administrative rather than a political one. Part of the reason for this was the value of the allowance, which until 1980s did not go past the secretarial expenditure of political groups (Figure 7.3). However, after direct elections in 1979 the staff allowance for MEPs increased far more than the allowance for political groups and the general secretariat (Figure 7.4).

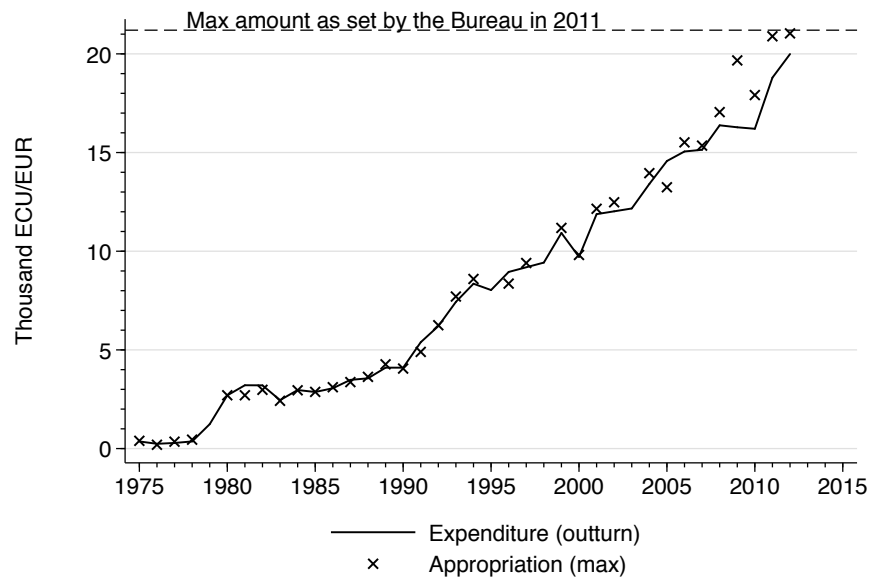
## 7.4 Legislative Powers (1980s and 1990s)

Until the 1980s the secretariat was a relatively independent service. According to the former Secretary General Vinci the sources of autonomy were two (Interview E, 2012). The first one was the lack of interest from member states to control the service of an organisation, which had little power to influence the EU. The second reason was the physical absence of members, who until 1979 had a dual representative mandate in national parliaments and the EP. These two factors favoured the role of administrators over the one of members of parliament. As observed by Guy Vanhaeverbeke, Honorary Director of the

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<sup>4</sup>The subsistence allowance was introduced at the time of the Coal and Steel Community.

Figure 7.2: Monthly Expenditures for MEPs Individual Assistance



Data: Own calculations from the EC/EU Annual Budgets

Note: The amounts are calculated based on the yearly appropriations and outturns respectively. The yearly amounts are divided by the number of MEPs in the given year in order to obtain the amount allocated per member. Then the amount per member is divided by 12 to obtain the monthly sum.

EP (Interview D, 2012):

Indeed the 1979 elections engendered a sort of full time professional euro-parliamentarians, who were eager to be proactive themselves. Before 1979 they used to be national parliamentarians, who were at most interested in European affairs. So they were quite happy to find competent staff.

For the first time in the history of the EP, MEPs were carrying out their mandate as full-time professional politicians. However, aside from the budgetary policy, the EP did not exercise decision-making powers, but had a consultative role. In the 1980s, the EP was prepared to change this mainly through the activities of MEP Altiero Spinelli (Italian member of the Communist and Allies Group), which lay the grounds for the adoption of the Single European Act in 1986 (entry into force in 1987) and the Treaty of Maastricht in 1990 (entry into force 1993). These two treaties gave the EP legislative powers by instituting the procedures of cooperation and codecision.<sup>5</sup> Therefore, it is from 1986 on that we can speak of legislative assistance in the strictest sense.

<sup>5</sup>With the cooperation procedure an amended or rejected bill by the EP could be adopted by the Council only with unanimity. In the codecision procedure, today known as the ordinary legislative procedure, the Council cannot overrule the EP if there is disagreement, but the institutions have to go through a conciliation committee process, through which the outcome of a bill is decided. It is worth mentioning since SEA the EP is also responsible to give assent for concluding an association agreement.

Figure 7.3: Administrative Expenditures 1974-2012

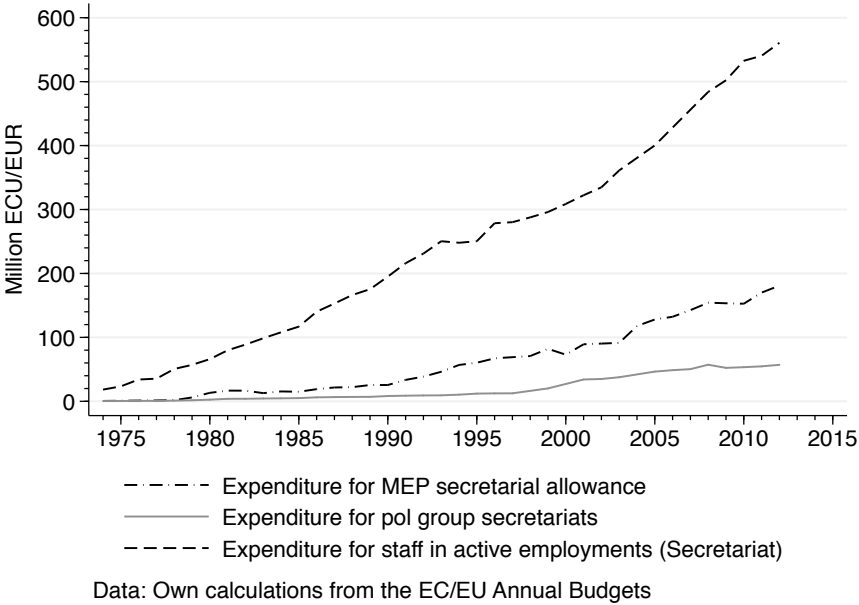
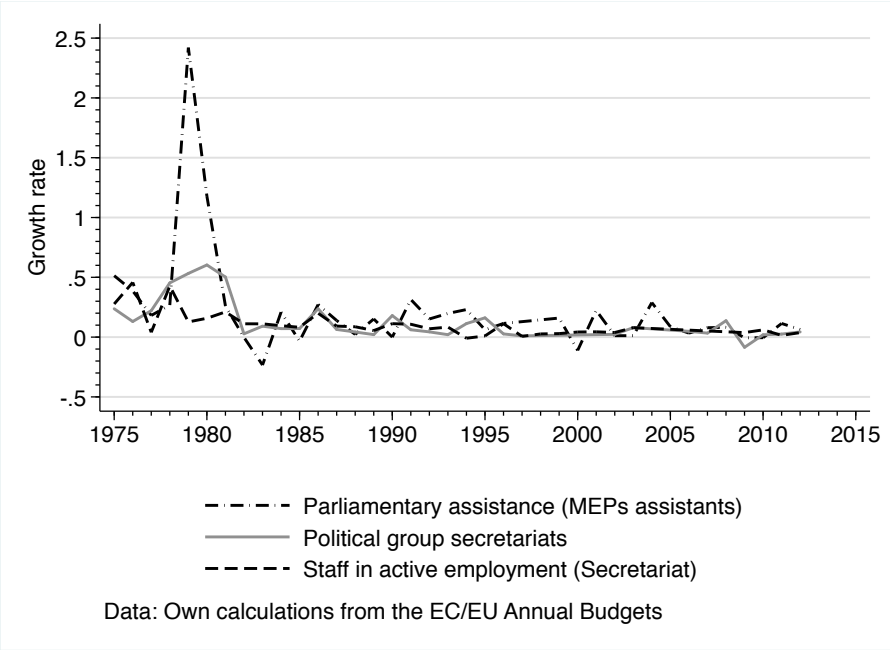


Figure 7.4: Growth Rates of Expenditures 1974-2012





### 7.4.1 Central Administration

The conditions for an independent administrative action, as explained by Vinci, ceased to exist after the EP acquired its first legislative powers. The freedom that the general secretariat exercised in the last three decades was about to change, because the political stakes in the EP started to increase. However, this change did not happen at once, but gradually. Secretariat staff continued to draft reports throughout the 1980s and 1990s. As a matter of fact, administrators monopolised legislative assistance to the members of parliament. An EP head of unit, who had worked as a committee administrator in the 1980s and 1990s, has said the following about the work in committees (Interview L, 2012, Interview):

Normally he [the member] has the ideas and he writes the report. You [the administrator] know the procedures, you prepare the “feuille de presence” for the chairman, you have to be able to make a good voting list [...]. You are supposed to know how to administratively manage the committee, but in fact often you are much more than that. Many of the ideas come from you. Of course if you know the member, you won’t say certain things if the rapporteur is a socialist or EPP, because he will not agree. You have to have that feeling. So often it is you that write the report and I hate to say that he hardly looks at the report.

An internal EP’s survey further confirms the role of committee secretariats. According to the survey results, in the 1990s committee staff drafted reports still far more often than political group advisors (Provan, 2001). It is difficult to determine when legislative assistance to MEPs changed. Virgilio Dastoli, assistant to Spinelli from 1977 to 1986 and subsequently temporary agent in the EP, witnessed this evolution (Interview J, 2012):

From the moment the EP acquired a legislative role, the functionaries of the parliament had to change the way they were working. This happened because the Parliament did not go into the substance of legislative texts before the Single Act. Its role was limited to the adoption of resolutions with a political character. Then with the Single Act, the cooperation procedure and then with the Maastricht Treaty and all subsequent treaty changes, the work of the members and functionaries became more detailed from the point of view of legislation. Therefore, we could no longer allow ourselves to have a fantasy approach. The texts that we were writing were texts that later on were transformed into law. Therefore, the administration had to be careful how it was writing the amendments, because the amendments became law.

Dastoli’s observations are confirmed by another official of the general secretariat, who started to work for the EP in 1981 and performs this job till date. In this official’s opinion, the SEA has had lasting effects on the nature of legislative assistance (Interview X, 2013):

Let's say that [before the SEA] creativity was the prevalent requirement in the secretariat. Today, there is less creativity and more input is required from the political staff. This has probably been the greatest evolution in legislative assistance in the last 30 years. To sum up, there is a larger quantity of work, the secretariat has less possibility for initiative and there is more initiative from the members. The last point I think is a positive development, because it is the members of parliament who normally should have the initiative and then the secretariat should offer the technical assistance.

#### 7.4.2 Political Groups

Even though the secretariat staff in committees continued to assist members of parliament, several respondents were of the opinion that political group advisors were increasing their presence. However, from available data it appears that political groups did not benefit from additional financial assistance (Figures 7.3 and 7.4). While financial resources for administrative expenditures increased in 1979, in 1987, when the SEA came into force, there was almost no growth. In the early 1990s, financial resources for the secretariat and political groups remained unvaried.

Instead, political groups tried to nest their people into the secretariat of the EP. Michael Contes, who has been a parliamentary assistant since the early 1990s, commented (Interview P, 2013):

In 1979, or even earlier, it was the administration that was doing everything. For example, in a committee it was the administrator who was writing the draft report either for a Socialist or a PPE [European People's Party] member. And this administrator did not have a problem doing so, because he knew the political differences. And then in the 1980s political groups were increasingly saying: "Careful, we need to be aware that there is a political split there and we cannot leave these tasks to apolitical administrators in the parliament. We want to have our own people in the administration." So, in the beginning of the 1990s political groups became directly osmosing into the administration. As long as they had certain amount of years and qualifications they could just move. So a person working for a political group would move to the secretariat.

In the above quote Contes describes the 'parachuting' practice, which involves temporary agents in political groups to stand internal concours and become EU civil servants working in the general secretariat (Article 29 Staff Regulations 2013; Article 2 of CEOS). In the opinion of Secretary-General Vinci 'parachuting' had become a problem for the EP:

Fifteen years ago when I retired [1997], I was in a full battle with the functionaries of the Parliament against the political groups. After I retired, but not because I retired, political groups prevailed. For example for the promotions we had always privileged the functionaries. The parachuters, as we were calling

them, were those coming to the secretariat from political groups. And of course the parachuter doesn't fall low, he falls up-high.

Vinci suggested that parachuting is problematic when a period in political groups becomes a requirement for an individual to take up a high-ranking position in the central administration of the EP. This pattern of political recruitment has become quite apparent on the level of the EP's secretary-generals. In the last thirty years, four out of five secretary-generals had at a certain point in their careers been secretary-generals of a political group. Hans Joachim Opitz (EP Secretary General from 1979 to 1986) served as the Secretary General for the Christian-Democratic Group, Julian Priestley (EP Secretary General from 1997 to 2009) was the Secretary-General for the Socialists, Harald Rømer (EP Secretary General from 2007 to 2009) was the European Democratic Group's Secretary General and Klaus Welle (EP Secretary General since 2009) was the Secretary General for the Christian Democrats. It has to be noted that, Priestley and Rømer started their careers as low-level functionaries in the 1973, after their respective countries joined the EU. Priestley was member of the Budgets committee staff, while Rømer worked in the Energy committee and later in the division for publications and central documentation. On the contrary, Opitz and Welle started their careers in the EP's without occupying any junior rank position in the EP's central administration. Both Opitz and Welle joined the EP's secretariat as Directors. Only Enrico Vinci, EP Secretary General from 1986 to 1997, had never been an employee in a political group. He began his career in the EP in the early 1960s in the Sanitary Protection committee. He was never part of a political group's administration, but was prior to his entry into the EU civil service the assistant of the Italian Foreign Minister Gaetano Martino from the Liberal party. The last three secretary-generals have also served in the cabinet of an EP President: Priestly in Hänsch's cabinet, Rømer in Fontaine's cabinet and Welle in Pöttering's cabinet.

It is unknown how frequent mobility from political groups to the general secretariat occurs at lower ranks. However, it has been suggested that movements from groups to the secretariat are becoming more common (Corbett et al., 2007, p. 194; see also Brand, 2010). In 2001, British MEP Provan denounced this practice. In his view it is difficult to foresee how service in political groups might affect the requirement for secretariat's officials to act politically neutral in carrying out their duties (Provan, 2001). However, no measures have been taken.

## 7.5 Reforms in 2000s

By 2000s the predicted consequences stemming from direct elections and the appearance of a parliament with legislative powers, became true. At the end of the 1980s and beginning of the 1990s, the organisation of legislative assistance was not meeting the needs of parliamentarians anymore. A head of unit in the secretariat, who in the early 2000s had been involved in the reforming process, recounted the situation reigning in the EP in the 1990s in the following way (Interview X, 2013):

After the Parliament had acquired new functions, there was a moment of disorientation. The members themselves needed some time to adapt to the new functions. Then, the parliamentarians started to take the political initiative as it was their right. And maybe when they did, there was a disconnection in respect to the secretariat. The secretariat was destabilised and as a result it did not provide the immediate technical support, which was needed. But this lasted for a very short time, because then it became clear that the secretariat was to follow the members' political initiative and offer them a duly and immediate assistance.

Another problem was the increasingly blurred distinction between the roles of committee staff and political advisors, which were attached to political groups. As described by Provan (2001, p. 4):

[...] the Parliament has evolved rapidly over recent years, particularly in terms of its legislative role and activities. [...] the nature of the support provided to members by the institution in this central legislative role has not fully kept pace with their changing needs.

Moreover, Provan argued that the EP needed to clearly distinguish between administrative and political roles. In his report on the EP's internal reform he stated (Provan, 2001, p. 10):

It should be recognised that a career in the political groups and a career in Parliament's permanent administration are two separate things. This is not to say that movement between the two should not be possible, but that movement from one service to the other should involve a change in career (a "one way ticket").

### 7.5.1 Attempts to Reform the Central Administration

**Provan Report** In 2001, the first step to reform the EP materialised with a report authored by James Provan, MEP and Vice-President of the Bureau. The main change that Provan proposed was to clarify responsibilities between the technical-substantive assistance (i.e. advice on procedures, legal issues, institutional aspects; document drafting, support in negotiation, drawing attention to policy issues) and the political assistance to MEPs (i.e. policy definition, political coordination within political group and with other political groups, coordination with national delegation, party, constituency). Provan's solution involved the strengthening of the general secretariat as a non-partisan service, while giving MEPs more responsibilities over resources deployed to serve their political activities (i.e. secretarial allowances). The latter included the reconceptualization of the role of parliamentary assistants towards the role of personal political advisors to MEPs. This would allow political group advisors to focus on the political coordination within the group and negotiations with other groups. Finally, Provan proposed to reform the research service.

**‘Raising the Game’** In 2003, based on Provan’s report, Secretary-General Priestley proposed a set of reforms under the name ‘Raising the Game’. Despite its name, the package of reforms was not as ambitious as Provan’s plan as it only included the reorganisation of the central services of the EP. The focus of the reform was to shift from a vertically based functional organisation to a horizontally based policy organisation following five policy streams: economic and scientific affairs, cohesion and regional affairs, budgetary affairs, foreign affairs and citizens’ affairs. Prior to the reform in 2003, legislative assistance was organised based on research and assistance functions in DG Research (DG IV) and DG Committees and Delegations (DG II) (Neunreither, 2003; Kungla, 2007). DG Committees and Delegations, based in Brussels, staffed all delegations and committee secretariats and thus, it had the pivotal role in legislative assistance (Neunreither, 2003, p. 48). DG Research, based in Luxembourg, was responsible for answering questions from individual MEPs, while a small amount of inquiries came also from committees (Interview R, 2013). While DG Research did provide assistance to MEPs and committees in individual instances, the service as a whole was not visible due to the fact that research was done in Luxembourg, while committee meetings and plenaries were held either in Brussels or Strasbourg (Interview R, 2013). An Honorary Director stated the following about DG Research (Interview F, 2012):

For a very very long time we had a DG on research and studies. They were working like they were in another world. They were writing about things that nobody had asked for and sometimes we wondered where were they going.

As a result of ‘Raising the Game’, DG Research and DG Committees/Delegations were reorganised into DG Internal Policies (DG IPOL) and DG External Policies (DG EXPO).<sup>6</sup> DG Studies was completely dismantled. Its research services were reorganised into five policy departments (i.e. Science Policy, Economic & Social Policy, Structural & Cohesion Policy, Citizen’s Rights & Constitutional Affairs and External Relations) within DGs IPOL and EXPO and transferred from Luxembourg to Brussels. What was left from the DG IV was transferred to DG Presidency in a newly established Directorate for the Library and Documentary Services with headquarters in Luxembourg. With the 2003 reform committee and research assistance were brought under the same roof.

### 7.5.2 Political Group Advisors and Staff Regulation Reform

Despite Provan’s warning, the provision on the detachment from political group staff to general secretariat staff did not change. In 2004, Staff Regulations were amended to clearly state that the detachment is applicable to political groups as well (Article 37 and 38 (g) of the Staff Regulations, 2013). That such change was adopted on a regulation level applicable

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<sup>6</sup> This division of work is in place still today. DG IPOL covers the majority of committees (seventeen in the seventh legislature), while DG EXPO staffs external and foreign affairs committees and subcommittees (AFET, DEVE, INTA, DROI and SEDE in the seventh term) and all the remaining international delegations to third countries.

to all institutions is in a way surprising, because the change implicitly targeted the EP as the institution that employs most of political group advisors.<sup>7</sup> On the one hand, the current provision on the detachment goes against Provan's recommendations. On the other hand, it has been claimed that the possibility of secondment between and within institutions can improve staff's understanding on each other's roles. In the view of a former low ranking political advisor, who is now a permanent official of the general secretariat, many officials in the EP do not understand what is the role of political advisors (Interview G, 2012). Mobility between the administration in political groups and the general secretariat can thus improve mutual understanding.

As far as it regards the highest positions in the hierarchy, it seems that perceptions vary given the political ideology. For example, when asked to give an opinion on the current Secretary General Klaus Welle, who used to be the Secretary General of the EPP, the responses were critical, but varied per political groups. While respondents from the ALDE and the S&D criticised Welle for being partial to the EPP, respondents from the EPP claimed the Secretary General was working against political groups in general by privileging the general secretariat (Interview N, 2012; Interview V, 2013; Interview ZA, 2013). Former Secretary General Priestly also recalled that political groups were expecting from him to make decisions favouring his former employer, the S&D group (Interview C, 2012):

At my very first meeting of the group leaders, I was asked to make a ruling on a request from Pauline Green, the leader of the Socialists group, who was also my nationality. And I said no, because actually what she was proposing was wrong. And I think everybody was surprised, because they'd assumed because she was the leader of then the largest group, my nationality and my political persuasion, I would say yes to that. But it would not have been proper according to the rules. You have to build a basis of trust with all the political groups.

## 7.6 Recent Developments (2010s)

The most recent developments in the administrative services of the EP can be seen in the light of the changing nature of parliamentary democracy and the European debts crisis that started in 2009. The growth in the size of government and the public demand for a greater engagement with citizens have increased parliament's responsibilities to scrutinise legislation and changed the nature of parliamentary representation all over the world (IPU, 2012). In order to respond to these challenges, parliaments have implemented several reforms (e.g. public consultations, implementation of the code of conducts for increasing the accountability of members, etc.).

Part of these changes targeted also the assistance to members. In the EP the trend has

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<sup>7</sup>The Committee of the Regions does also employ temporary staff as political group advisors.

been to professionalise and personalise the assistance to its members of parliament. This resulted in the improvement of the conditions of employment for personal staff, but also in the professionalisation of internal administrative services. At the same time, the EP, as several other national parliaments, had to reduce its workforce due to the European debts crisis that started in 2009. The following section reviews how the changing environment in which the EP operates has affected its legislative services in the 2010s.

### 7.6.1 Central Administration

#### Research Support

In 2010s an analysis of the secretariat services showed that ‘Raising the Game’ did not completely eradicate organisation problems. A report published in 2013, stated that the organisation of the EP did not match the needs of MEPs in terms of an ‘independent scientific or research advice’ (European Parliament, 2013b, p. 5). In a presentation, which announced further reforms of the general secretariat, Secretary General Welle assessed the research support functions of the EP to be on an average level compared to other state legislatures (i.e. on a similar level to the UK parliament, below the capacity of the Italian and German parliaments, but above the capacity of the French parliament) (European Parliament, 2014, p. 7). In order to strengthen the research support function of the EP, the establishment of an independent in-house parliamentary research service at the disposal of all MEPs, was proposed in 2013 (European Parliament, 2013b, p. 7). The same idea was suggested in the period when ‘Raising the Game’ was discussed. An official who was involved in the implementation of ‘Raising the Game’ recalled that (Interview X, 2013):

The idea of the time was to really set up a general directorate for research, which would enable the interaction between parliamentarians and researchers. We believed that this interaction would give birth to new political ideas, which would be transformed in own-initiative legislative reports. Legislation is proposed by the Commission, but today it can be proposed also by the EP, a group of citizens etc. And, who can facilitate the internal discussion in the EP? These are the technical services, which by interacting with member can facilitate the formulation of policy ideas.

While ‘Raising the Game’ created policy departments (i.e. units providing research *exclusively* for committees), the 2013 reform set up the Parliamentary Research Service (DG EPRS), which is responsible to assist individual members (European Parliament, 2013d, pp. 13-4). In several aspects, DG EPRS has been organised according to the Congressional model in the US (see European Parliament, 2013b; European Parliament, 2013d). As of today, the majority of research units are organised under DG EPRS except for the policy departments. Therefore, the idea of a comprehensive research service has not been achieved yet, and it is likely to be a future reform issue. In a way, the Bureau of the EP resurrected the old DG Studies (DG IV). However, in the 2013 reorganisation the Bureau of the EP

paid more attention to the individual needs of MEPs.

### Budgetary Constraints

**Problem** To respond to the financial and debt crisis in the EU, several member states adopted public spending reforms. These reforms prescribed general public spending cutbacks including civil service staff reductions. In 2011, under the pressure from member states that demanded staffing cuts up to 12 per cent (Brand, 2012), the European Commission put forward a proposal to reform the EU's Staff Regulations, which included the provision to cut staff by five per cent before 2018 in each institution and agency of the EU (European Commission, 2011b). The Legal Affairs committee rejected such an 'automatic' reduction across all institutions (European Parliament, 2012c, p. 67). According to the responsible rapporteur Dagmar Roth-Behrendt (S&D), enlargement and the newly acquired competences under the Lisbon Treaty required 'tailor-made' solutions per institution (European Parliament, 2012c, p. 69). A compromise was adopted in 2013 to gradually reduce staff by five per cent by 2018 (Regulation 1023/2014, European Union, 2013).

**Staff Cuts** In 2014, the EP planned to decrease its staff by 0.55 per cent compared to 2013.<sup>8</sup> The reductions were planned on the expenses of the general secretariat, while neither a decrease nor increase of staff is registered for political groups. However, the staff of the EP are in practice still growing. In 2013, the EP negotiated with the European Economic and Social Committee and the Committee of Regions a staff transfer. As a result, in 2014 the staff of the EP have actually augmented for 0.63 per cent compared to 2013 (based on Annual Budget, 2013; Annual Budget, 2014). Finally, the secretariat of the EP has seen a reduction in the yearly increase of its budget (from a budget increase of 1.9 per cent in 2013 to 0.4 per cent increase in 2014). This has further reduced the capacity of the EP to grow as an institution.

**Political Groups** Before a compromise on the Staff Regulations reform was reached, a controversy arose between the political groups and the EP Secretary General. Political groups claimed that the reduction of their staff would worsen their administrative capacity compared to the general secretariat, where AD staff had been growing faster (Figure 7.4). In fact, while political groups registered an unchanged staff growth in 2013, the number of post in the committee secretariats increased (European Parliament, 2014).<sup>9</sup> The Secretary General of the EP further irked political groups when he considered applying the five per cent reduction at once. The S&D group, under the leadership of its Secretary General

<sup>8</sup>In 2013, the implementation staff cuts touched in particularly translation services, where reductions were easier to implement due to technological advancements (e.g. automatic translations). Nowadays in order to decrease expenditures, all documents which are not priority or legislative are outsourced for translation (Interview R, 2013). Besides translation, other central administrative services (i.e. ushers service) have lost staff mostly due to technological advancements as well.

<sup>9</sup>This increase was possible due to the reallocation of a hundred translation posts to political support managements units in the EP (i.e. committee support, plenary support, legal-linguistic services etc.) (European Parliament, 2014).



Anna Colombo, overtly opposed the reduction of staff in political groups (Interview ZB, 2013). Respondents from both the S&D and EPP expressed the view that the plan of the EP's Secretary General was an attempt to progressively reduce the role of political groups in favour of the general secretariat (Interview ZB 2013; Interview ZA, 2013).

The 2013 staff increase in committee secretariats further indicates the priority of the EP's Bureau to develop a sound legislative assistance service for MEPs. This priority has become clear already under Secretary General Priestley. Together, Priestley and Welle's reforms can be seen as an effort to professionalise and personalise the legislative assistance offered to members (Interview Q, 2013; Interview R, 2013). Before that, the general secretariat's of the EP was known as an 'old-timer' which was against any reform to change its structure (Neunreither, 2003, p. 47).

### 7.6.2 Members' Personal Staff

The assistants working for MEPs were for a long time excluded from the Staff Regulations. In 1998 and 2001 the Commission proposed to amend the Conditions of Employment of Other Servants of the European Communities (CEOS) in order to integrate the occupation of personal assistants in the European framework.<sup>10</sup> However, it was not until 2009 that Council adopted Regulation 160, which serves as the statute for the employment of accredited parliamentary assistants (APAs) in Brussels and Strasbourg (Bureau of the EP, 2009). The rules were implemented to provide MEPs' assistants job stability and security.

Regulation 160 changed the management of APAs' employment contracts. While members are still allocated a fixed amount of money for parliamentary assistants in Brussels (Article 125 of the CEOS in the Staff Regulations 2013; Article 2 Bureau of the EP, 2009), the contracts and payments are since 2009 managed by the EP administration and not anymore by MEPs (Article 34 of the Implementing Measures to the Statute for MEPs). The expenditure was delinked from MEPs allowances and included in the EP's budget as a cost resulting from the special functions carried out by the EP. The change in the payment system was mainly organised as a response to an internal audit in the EP (i.e. Galvin Report) that discovered unjustified claims of secretarial expenses. Even though the management of the expenditure changed in 2009, its purpose has always been to guarantee members with personal assistance in secretarial, research and political activities.

The amount MEPs receive for the recruitment of APAs has been increasing over time. Figure 7.2 shows this trend on a cumulative basis for individual MEPs in a given year. The Bureau decides the maximum yearly amount defrayable for personal staff, which is since 2011 set to 21 209 EUR per member (European Parliament, 2011b). The actual

<sup>10</sup>COM (1998) 312, 15. 5. 1998, Proposal for a Council Regulation (EC) amending Regulation (EEC, Euratom, ECSC) No 259/68 laying down the Staff Regulations of Officials of the European Communities and the Conditions of Employment of the Other Servants of the Communities. COM (2001) 344, 24. 6. 2001, Proposal for a European Parliament and Council Regulation amending, for the benefit of European parliamentary assistants, Council Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, self-employed persons and to members of their families moving within the Community, and Council Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71.

expenditures have remained below 17 000 EUR per month. In the opinion of Secretary General Welle, the organisation of personal assistance in the EP is above average compared to other legislatures (i.e. similar to the quality of the German parliament, but above the level of the British, Italian and French parliaments) (European Parliament, 2014, p. 7).

## 7.7 Discussion

**Functionalism in the 1960s and 1970s** As in the case of Chapter 6, different institutional logics (i.e. functional, sociological and path dependency) explain the developments in the administrative organisation of the EP between the 1960s and 2010s. Throughout this period the transformation towards a state-parliament model of administrative organisation is always visible (Hypothesis 3a). The EP has strengthened its general secretariat, the secretariats of political groups and the assistance to individual members of parliament. Assistance based on common political affiliation was given precedence over support based on nationality. The model of parliamentary administration was finally on track when the temporary secretariat drawn from national parliaments was phased-out and when MEPs started to rely on their own assistants rather than the staff from national parliaments.

Until the 1980s, the administrative transformation according to state-legislatures was connected to the changes in the EP's environment (Hypothesis 3a). Moreover, the functional adaptation was linked to the new competences the EP acquired with treaty revisions rather than to enlargement. The most prominent example of functional adaptation is the change that followed the organisation of the first direct elections in 1979. Following the election, the EP increased the number of staff and expenditures dedicated to the functioning of the general secretariat, political groups and in particular individual MEPs. Several other examples give evidence for a functional adaptation. Immediately after the creation of the EEC in 1958 the general secretariat specialised its departments for the first time. Political groups strengthened their administrative capacity as well. Political advisors were recognised as temporary officials and were allowed to participate in internal concours (1962). In terms of policy work most of the legislative assistance was done by the general secretariat due to the technocratic nature of policies and the lack of real decision-making powers in the 1960s.

**Functionalism in the 1970s** In the 1970s, when the EP obtained budgetary powers, there is an increase of staff and their activity in the Budgets committee. The conferral of the powers in the budgetary policy provides an early indication of how the assistance to MEPs would develop once the EP acquired meaningful powers on legislative files. The example of the 1980 annual budget shows that the general secretariat was actively involved in drafting EP's report compared to political advisors. However, it was the rapporteur who ultimately controlled the involvement of secretariat's staff. This is very similar to the principal-agent theorisation for which Winzen (2011), Dobbels and Neuhold (2013) and Neuhold and Dobbels (2014) found support in specific cases of parliamentary committees

and EU policies. The analysis of events in this chapter shows that MEPs' control on staff (agent-principal relationship) emerged gradually. Hence, the principal-agent relationship cannot be assumed as a given condition for the case of the EP (at least not in a historical perspective). In the 1950s and 1960s, when the Common Assembly did not have decision-making rights and when its members were part-time representatives, staff were in control of its activities. By the end of the 1970s, MEPs achieved the status of full-time representatives. Thus, they should have had the time for controlling the staff of the general secretariat. Nevertheless, no evidence is found for specific cases apart from the Budgets committee, where the EP gained substantial control and decision-making powers.

**Functionalism from the 1980s onwards** In the 1980s and 1990s, the conditions that were found in the area of the budget in the 1970s existed also in some areas of legislation. Yet, evidence does not show MEPs to routinely control staff. There are indications that MEPs started to routinely exercise control over the staff of the general secretariat in the 2000s. This coincides with the gradual loss of prestige of the general secretariat staff. However, the data of this chapter does not allow generalising by policy cases and only a general pattern can be presented. Whether the general pattern of principal-agent relationships between MEPs and staff holds could be further tested on specific cases as it has been done by Winzen (2011), Dobbels and Neuhold (2013) and Neuhold and Dobbels (2014). However, the relative time distance of events represents a major difficulty to analyse policy cases in history.

**Path-Dependency and Isomorphism** The functional pattern, where administrative changes are connected to a changing environment, disappeared when the EP gained legislative powers. After the first direct elections, the adoption of the SEA and the Maastricht Treaty, one would expect the role of political group advisors to grow due to the increase in the saliency of issues. However, the general secretariat continued to play an important role in drafting reports, albeit officials now self-restrained themselves in creativity. In addition, no significant change in the expenditure or staff number is seen from mid-1980s onwards.

Between the 1980s and 2000s, the unvaried working practices were accompanied by an absence of significant reforms (see European Parliament, 2012b, p. 46). The political situation was not any longer a precondition for administrative reforms. Change occurred, but only gradually. After a time of reform inactivity, the Bureau of the EP launched the process 'Raising the Game' in 2003, which only partially solved problems relating to legislative assistance. Further changes were made in 2009 (reforms of the Staff Regulations) and 2013 (reforms on research).

Since change was not anymore responding to EP's political environment, the institutional transformation of legislative assistance was no longer functional. The political institutionalisation of the EP, which happened with the acquisition of legislative powers, did not match the administrative institutionalisation: political changes were inconsequential for the development of legislative assistance. At the turn from the 1970s to the 1980s,

the pace of administrative reforms slowed down and resembled to a path dependent logic. While reforms were gradual, they continued to draw the EP closer to a parliamentary type of administration, which the EP initiated already in the period of the ECSC. An isomorphic process cohabited with functional adaptation until the late 1970s (H3b and H3a). While from the 1980s onwards, it coexisted with path-dependent changes (H3b and H3c).

**Distributive Rational Choice Institutionalism** As the EP acquired new prerogatives, the administrative organisation was not anymore just a question of functionality and adaptation to the parliamentary model, but also a question of control. This is at best illustrated by the impeachment of Secretary General tot Babberich, whom the Bureau suddenly replaced in 1960. Except for one, all the subsequent secretary-generals had worked for a political group. When political dossiers became salient and the EP gained the right to reject a decision of the Council, further accounts on the discord between the general secretariat and political groups become available (i.e. ‘parachuting’, politicisation of the highest ranks of the general secretariat, staffs’ perceptions over their number, etc.).

The administrative resources allocated to the central administration, political groups and individual MEPs developed unequally. In particular the role of parliamentary assistants developed slower compared to the administrative capacities in the general secretariat and political groups. The slower pace can be attributed to the evolving role of MEPs through the years. At first MEPs were delegates to the EP and a full-time member of a national parliament. As a result, MEPs’ resources for working in the EP (i.e. salary, but also allowances) were limited and linked to their functions in national parliaments. When MEPs became full-time professional European politicians, they started to benefit from a staff allowance, which enabled them to employ personal staff.

The developments since 2000s indicate a shift of power from political groups to individual members. For example in 2005, the EP adopted the Statute for MEPs, which affirms that members are free and independent and that they vote on an individual and personal basis, without being bounded by any instructions (Articles 2(1) and 3(1)). Moreover, the preamble to the Statute for MEPs states that the members’ salary and other entitlements, specified in Article 9 of the Statute, are not meant for financing parties, but for safeguarding MEPs’ independence. The preamble also says that such a statement ‘is necessary because parties often expect the benefits referred to in Article 9(1) and (2) to be used in part for their purpose’ European Parliament (2005, point 12). The EP administration has responded quickly to these developments by improving the conditions of employment for MEPs’ personal staff (Regulation 160/2009) and increasing members’ staff allowance (Implementing measures to the Statute for MEPs).

Personalisation can be seen also in the latest reform of the secretariat, where a research service has been set up to deal with the request of individual MEPs rather than political groups or committees. Similar organisational challenges are faced by other parliaments in the world (IPU, 2012).

## 7.8 Conclusion

In order to examine the change of legislative assistance in the EP as an institutional design, this chapter has reviewed developments from 1958 to 2013. The chapter has built on the functional, isomorphic and path-dependency explanations of change. Three initial hypotheses were made. The first hypothesis was that change in legislative assistance has been driven by concerns over functionality (H3a). The second hypothesis was that legislative services would acquire a form similar to state-parliament administrations due to the parliamentarization of the EP (H3b). The third hypothesis summarised the second hypothesis, but added a temporal dimension (H3c).

The findings show mixed evidence for the first (H3a) and third (H3c) hypotheses, while evidence is found in support of the second hypothesis (H3b). Based on the evidence presented in this chapter, changes to improve the quality of assistance in the EP were more functional and dynamic in the 1960s and 1970s compared to the 1980s and 1990s. This means that until the 1980s, the administrative structures of the EP were responding to political events (e.g. direct election, budgetary powers, etc.). These parallel developments provide support for the functional hypothesis according to which adaptation is linked to observable challenges. Throughout the 1980s and 1990s a stalemate in administrative changes is observed, even though, the EP gained important powers with the SEA and Maastricht Treaty. Time lags between political and administrative change began to appear. In fact, the EP began to respond to problems from the late 1980s and early 1990s, only in 2000s. Reforms were not problem-driven, since they occurred ten years after Maastricht and two other treaties had been adopted. For this reason there is no evidence supporting the functional hypothesis after the 1980s. The last thirty years of administrative change in the EP are rather explained by historical institutionalism, where change is slow and path-dependent. Reform occurred gradually and in small steps following the trajectory of administrative organisation in state-legislatures. The EP had acquired some aspects of state-parliament administrative organisation already in the 1950s (e.g. political group secretariats and the civil service law). A fairly similar organisation to national parliaments was acquired throughout the 1960s and 1970s, when national parliaments discontinued their administrative support to the EP and with the implementation of a staff allowance. The most recent developments (i.e. professionalisation and personalisation) show that the EP has to adapt to the same challenges as national parliaments. Therefore, there is substantial evidence supporting the third hypothesis (H3c). Possibly, the EP is even one of the most successful European parliaments in adapting to contemporary challenges.



## Part II

# The Effects of Organisation in the EP's Administrative System of Legislative Assistance





## Chapter 8

# Organisation Theory and the EP

In line with the first empirical part, the second part continues to observe legislative assistance. However, instead as a design or organisation, legislative assistance is treated as behaviour. To study behaviour, the second empirical part of the thesis consists of three chapters. In Chapter 8 organisation theory is applied and the independent variables are operationalised. Chapter 9 develops a quantitative measure for legislative assistance. Chapter 10 presents the results. The information and findings provided in Part II are based on original survey data (Chapter 4).

### 8.1 Theory Application

The present chapter addresses how the formal organisation of legislative assistance affects the behaviour of legislative staff in the EP from the point of view of organisation theory. The literature review (Chapter 2) has shown that scholars have to a certain extent already investigated how administrative players behave in the EP. This has mainly been done using role theory and modelling assumptions on the principle agent (politician/bureaucrat) relationship (Winzen, 2011; Dobbels and Neuhold, 2013; Neuhold and Dobbels, 2014). Analysis of influence and delegation exclude the effect of a structure. In principal agent studies, the structure is at best the product of the principal and, as such does not contain any autonomous properties. Political sociologists claim the opposite. For them agents are autonomous and give meaning to structures (Georgakakis and Weisbein, 2010; Busby and Belkacem, 2013; Michon, 2014). This dissertation proposes to study behaviour from the analytical view of organisation theory (Section 3.3). Organisation theory, as employed in this study, is a theory of administrative behaviour (Simon, 1997). Organisation theory concurs with studies in political sociology that human behaviour is embedded in an institutional context. Analyses in political sociology have focused on informal practices, symbols and power relations among actors. On the contrary, the strength of organisation theory is the most evident when articulating formal structures, i.e. rules and roles, which specify who is expected to do what in an organisation (Blau and Scott, 2003).

Since the purpose of this dissertation is to study the organisation of legislative assist-

ance in the EP, it builds on organisation theory rather on a principal agent approach. In other words, the aim is to see how the organisation of legislative assistance, rather than the relationship between MEPs and their aids, affects the behaviour of legislative staff. Both, studying the relationship between the principal and the agent or organisation, are important from the point of view of accountability. Studying the relationship between politicians and their administrative aids unfolds around delegation and degrees of autonomy. Studying organisation emphasises the extent to which accountability (but also efficiency, organisational goals, etc.) can be achieved through formal structures. Organisational structures are therefore interesting to study, because they operate as means to control administrative behaviour.

Based on the state of the literature one can further conclude that the rational model of behaviour on the relation between the principal (politician) and agent (bureaucrat) is not exhaustive in explaining the behaviour of the latter in the EP. As Dobbels and Neuhold (2013) have shown there are some characteristics, which are not strictly related to the agent and the principal, that are also important for the understanding of the role of staff. Organisation theory suggests focusing on organisation as an externality to the relationship between the principal and the agent (Mitnick, 1992; Waterman and Meier, 1998).

Compared to previous research on the EP's administration, which has also leaned on organisation theory (Egeberg et al., 2013; Egeberg et al., 2014a; Egeberg et al., 2014b), the focus of this study lies exclusively on the activities performed by staff in the EP. Behaviour is therefore conceptualised narrowly, since the study does not inquire about staff's considerations, concerns, contacts, attitudes, etc. This choice has been made, because in addition to exploring how organisational structures affect behaviour, the aim is to dissect the type of activities that staff in parliament does most commonly. Organisation theory is therefore also used as a tool to explore the question what it means to carry out legislative assistance. As an exploration tool, organisation theory is practical, because it allows to systematically analyse the different tasks staff carry out independently of their importance or frequency.

### **Main Hypothesis**

Following organisation theory, the underlying assumptions is that the way legislative assistance is organised in the EP shapes the behaviour (in terms of assisting MEPs) of individuals and the collective(s) who are responsible to assist MEPs in legislation (i.e. legislative staff). It is argued that the degree to which individuals are involved in the assistance of MEPs varies given the organisational structure. By employing an organisational perspective the objective is to find out to what extent can we explain the variation in the behaviour of different administrative players in the EP. The following hypothesis is put forward:

Hypothesis 4: The behaviour of legislative staff in the EP varies given the organisational structure of legislative assistance.

Five organisational structures (or components of the organisational structure in the EP) are examined: job rank, administrative affiliation, functional specialisation, policy specialisation and political specialisation. Based on the EP's Staff Regulations and organisational charts, this chapter reviews the above-mentioned organisational structures and develops sub-hypotheses to H4. The hypotheses are analysed based on the theoretical model in Chapter 3. For the purpose of simplification the model can be illustrated with the following formula:

$$\begin{aligned} \text{legislative assistance} &= \beta_0 + \beta_1 * \text{org. structures} + \beta_2 * \text{control variables} + u, \quad (8.1) \\ E(u|\text{org. structures, control variables}) &= E(u) = 0. \end{aligned}$$

Equation 8.1 says that given the control variables (i.e. demography and institutionalisation), organisational structures affect legislative assistance. The second line of the equation states the assumption upon which the model is based. It says that factors, other than the theorised independent variables, which might have an effect on legislative assistance (i.e. the relationship between the MEPs and staff, decision-making procedures, saliency of the policy proposal, etc.) are not correlated with independent variables. Under this assumption, a causal interpretation of organisational structures on legislative assistance is made. In order to test the relationships presented in the model above, this chapter explains the independent variables. Chapter 9 operationalises the dependent variable.

## 8.2 Organisational Structures in the EP

Chapter 3 presented the organisational structures as products of vertical and horizontal specialisation in an organisation. The following section reviews these two types of specialisation as they have developed in the EP. Five organisational structures are reviewed: job rank, administrative affiliation, functional specialisation, policy specialisation and political specialisation.

### 8.2.1 Vertical Specialisation

#### Job Rank & Sub-Hypothesis 4a

The vertical specialisation of the EP is specified in Article 5 of the Staff Regulations (2013). Two different grading systems apply, one for officials working in the general secretariat and political groups and one for accredited assistants.<sup>1</sup> Permanent and temporary administrators in the general secretariat and political groups are classified in twelve grades (from AD5 to AD16). With experience up to three years administrators are recruited into the lowest

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<sup>1</sup>Moreover, separate rules are in place for contract staff (Article 80, Title IV of CEOS). Contract staff are vertically specialised in four different function groups and eighteen grades. The sample on which the model is tested includes seven contract staffers. Due to the low number, they are omitted from the final dataset.

grade AD5. Subsequent promotions are based on the principle of seniority. Grade AD6 requires from three to six years of experience, grade AD7 from six to nine years, grade AD8 from nine to twelve years, grade AD9 from twelve to fifteen years, grades AD12/13 from fifteen to eighteen years and grades AD14/16 from eighteen to twenty-one years of experience. Officials in the ranks from AD5 to AD12 occupy the post of administrators, the ranks AD9 to AD14 open the doors to become heads of unit or advisers<sup>2</sup>, while AD14 to AD16 are occupied by directors and director-generals. The salaries range from 3 810 EUR to 16 000 EUR (Annex XIII of the Staff Regulations). Accredited parliamentary assistants (APAs) are classified in nineteen grades, where the salary ranges from 1 680 EUR to 7 740 EUR per month (Article 133 of CEOS). It is up for the MEP to decide the rank of an accredited assistant. The seniority principle, which applies at least for administrators in the general secretariat and political groups, means that hierarchy levels are strongly correlated with age and the years of working experience in the EU institutions.<sup>3</sup>

Previous research has shown that the rank of officials affects their behaviour in terms of considerations. For example, individuals in top rank positions are more likely to evoke a logic of hierarchy than officials in lower positions (Trondal, 2011, p. 799). It also holds that individuals in high-rank positions have more responsibility than low rank officials. Therefore, hierarchy implies that staff carry out different tasks. Since hierarchy tends to empower high-ranking officials, it is assumed that high-ranking officials are more involved in legislative assistance than lower ranking officials. Here, I test the preposition whether the grade an administrative player in the EP occupies is likely to affect an individual's role in legislative assistance also for the case of the EP:

H4a: Involvement in legislative assistance increases with the job rank.

Figure 8.1 shows the frequency of ranks in the survey sample given the administrative affiliation. Since the grading system for administrators and political advisors is different from the one of assistants, the variables measuring rank were transformed into ordinal variables following the distributional approach of coding (see Vaus 2002, p. 165). Grade was standardised into three categories: high, middle and low ranks (Table 8.1).<sup>4</sup>

## 8.2.2 Horizontal Specialisation

The horizontal specialisation in the EP is specified in the Staff Regulations and the EP's organisational chart. The EP administration is specialised horizontally in different ways

<sup>2</sup>Adviser is a special category of officials, which can either be employed in the secretariat or political groups. This category is not related to the political advisors that work in political groups and which denotes all the AD employees in political groups disregarding the grade/rank.

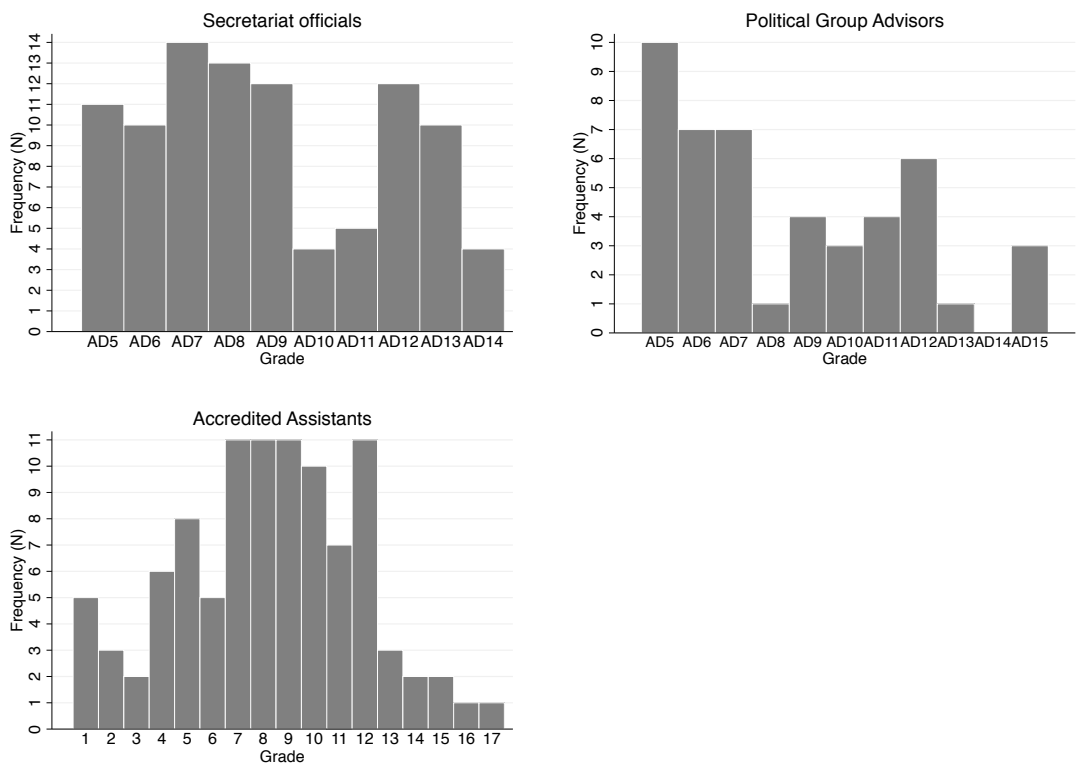
<sup>3</sup>Based on the survey results, the correlation between age and rank for secretariat administrators is 0.77 and 0.57 for political group advisors; while the correlation between rank and experience for secretariat administrators is 0.76 and 0.74 for political advisors. Age and years of experience in the EU institutions are strongly correlated in all the cases for EP staff. However, the survey data shows there is no correlations between the rank and age of an APA, while experience is strongly correlated. The correlation coefficient equals 0.76.

<sup>4</sup>Administrators and political advisors: Grades AD5/7 were recoded into low rank, AD8/9 into middle rank, AD10/16 into high rank. Accredited parliamentary assistants: 1/6 low, 7/10 middle, 11/19 high.

Table 8.1: Grade: Standardisation and Recoded Values

Grade	Standardisation (AD and APA)	Values (N of observations)
High	AD10/16 and 11/19	N = 79
Middle	AD8/9 and 7/10	N = 73
Low	AD6/7 and 1/6	N = 88

Figure 8.1: Survey Sample: Rank



given the:

- Administrative affiliation within the EP (i.e. whether an individual is affiliated to the central secretariat, political group or an MEP office);
- Specialisation in terms of function (i.e. research staff, committee staff or legal staff);
- Policy area (i.e. internal versus external policies of the EU or more elaborated distinctions between economic and scientific policy, structural and cohesion policy, citizens rights and legal affairs, budgetary affairs and foreign affairs or distinction between committees, such as AGRI, AFET, etc.);
- Political specialisation as the affiliation to political parties for political groups and MEP offices (Christian-Democrats, Socialists, Liberals, etc.).

The following paragraphs explain these horizontal structures. Table 8.7 provides as a summary.

#### **Administrative Affiliation & Sub-Hypothesis 4b**

There is substantial empirical evidence suggesting that structures of horizontal affiliation affect the behaviour of individuals. Egeberg et al. have shown this also in the case of the EP administration for preferences and contacts (2013; 2014; 2014). However, they only tested the administrative affiliation (what they call as ‘organisational affiliation’) and their data did not include accredited parliamentary assistants. Previous research has determined that secretariat staff used to be the most influential source of assistance in the EP (see Chapter 2). In line with this past research the following hypothesis is tested:

H4b: Administrators employed in the general secretariat are involved in legislative assistance more frequently than the political advisors working for political groups and accredited parliamentary assistants.

#### **Functional Specialisation & Sub-Hypothesis 4c**

Compared to MEPs offices, where APAs work, and the secretariats of political groups, where political advisors work, the general secretariat of the EP has a more detailed horizontal specialisation. Secretariat administrators can for example work in the secretariat of a committee, the legal service, a policy department, etc. This study controls for this differentiation with a dummy variable, which measures if a secretariat administrators is formally assigned to a committee or not.

Even if in strict terms there is no formal division of work into committee or non committee staff for APAs and for a part of political advisors (i.e. for those political groups where the number of MEPs is low and thus do not possess as many staff resources as the larger political groups), work is de facto organised around committees and other obligations. For this reasons, staff were asked whether they followed the work of at least one committee.

Independently on whether one works for the general secretariat, a political group or an MEP's office, assisting a member of parliament in the committee is supposed to increase staff's involvement in legislative assistance. The following hypothesis is put forward

H4c: Staff who follow the work of at least one committee are involved in legislative assistance more frequently than staff who do not follow the work of committees.

#### **Policy Specialisation & Sub-Hypothesis 4d**

Not all committees have the same importance. Given the decision-making procedure, which is most commonly applied in a committee, it is possible to infer how important are individual policies. Figure 8.2 shows that committees, which deal with economic and scientific policies (ENVI, ECON, EMPL, IMCO and ITRE) are more likely to deal with co-decision (ordinary) legislative files than those in structural (TRAN, CULT, AGRI, REGI and FISH), citizens (JURI, LIBE, FEMM, AFCE and PETI), foreign (DEVE, INTA, AFET and DROI) or budgetary (CONT and BUDG) affairs. Consultation dossiers are most commonly dealt in committees dealing with citizens affairs, following economic, structural, budget and foreign affairs committees. Based on the distribution of co-decision files the prediction is:

H4d: Individuals working on economic and scientific policy are involved more frequently in legislative assistance than others.

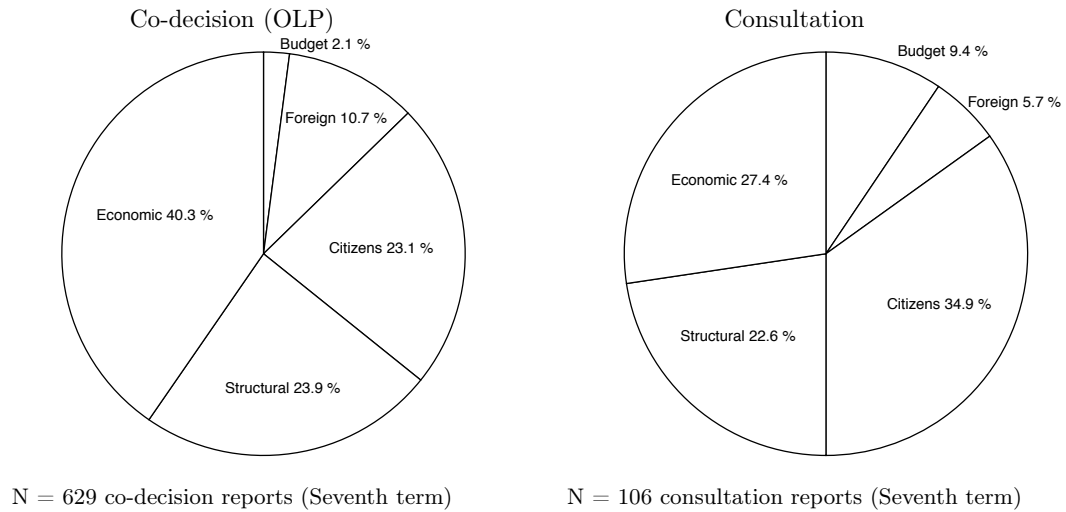
#### **Political Specialisation & Sub-Hypothesis 4e**

Given the lack of research on political advisors and APAs, nobody has so far tested whether political groups and MEPs employ human resources differently given their political specialisation or ideology. The findings on the US Congress show that there is no significant difference in how Republicans and Democrats consult their staff (Malbin, 1980). Whether difference exist among the political groups and MEPs in the EP is the final tested hypothesis:

H4e: The involvement of staff in legislative assistance depends on the political group staff work for.

H4e can only be tested for accredited parliamentary assistants and political advisors whose work is organised according to structures, which determine a political ideology. Administrators working in the secretariat are not organised according to political family. This means that while APAs and political advisors assist exclusively members of one political group, administrators assist MEPs independently from the political specialisation.

Figure 8.2: Percentage of Codecision and Consultation Reports by Policy Area



Data: Own calculations based on the data in the Legislative Observatory of the EP (OEIL)

Legend: Budgetary Affairs (BUDG & CONT), Foreign Affairs (AFET, INTA & DEVE), Citizens Rights (FEMM, AFCE, PETI, LIBE & JURI), Structural and Cohesion Affairs (TRAN, CULT, AGRI, REGI & FIS), Economic and Scientific Affairs (EMPL, ENVI, ECON, ITRE & IMCO)

### 8.3 Control Variables

In order to estimate the effect of organisational structures a set of other organisational variables are put in place. These are demography and institutionalisation. One of the organisational variables reviewed the Chapter 3 was locus, i.e. the physical location of an organisation. In the present time and case, locus is irrelevant for the administration of the EP. While initially all the administrative support for the EP was based in Luxembourg, today MEPs have staff support wherever they are (Brussels, Luxembourg, Strasbourg and the constituency). The part of the EP administration, which takes care of legislation, is located in the same location and in one building block in Brussels. Therefore, there is no space variation between the offices of political groups, MEPs and the central secretariat. Location would be an important variable to consider in the case of translation staff in Luxembourg vis-à-vis legislative staff in Brussels; and MEPs' local assistants in constituencies vis-à-vis accredited assistants in Brussels. However, neither linguists nor local assistants are taken in consideration in this study, since they do not qualify as legislative staff.

#### 8.3.1 Demography

Survey data shows that the average professional doing legislative work in the EP is a 38 year old male with citizenship from one of the member states that joined the EU before 2004. He has a master's degree in social sciences and did part of his studies in a foreign country. Prior to joining the EP, he had acquired minimal working experiences. English is the language



he uses for daily communication with his colleagues in the EP. This characterisation of the average staff member gives little indication of the varied background one can find in the EP. The following paragraphs present more details on the demographic attributes of staff in the EP.

**Gender** Based on official data, the EP employs more women (58 per cent) than men (42 per cent) if the total of all the employees, including translators and secretaries (i.e. AST and AST/AC categories of employees) is taken in consideration (European Parliament, 2013f). On the contrary, the majority of the professionals in the sample doing legislative work are men (52 per cent). It can be said that the gender representation of legislative staff is balanced, even if slightly in favour to men. While gender balance is achieved in legislative work, other areas seem to be over-represented by women. Among the different administrative groups, the representative gap between female and men is the highest among administrators (39 per cent female), followed by political advisors (42 per cent women). Women make up the majority (55 per cent) of MEPs' APAs. Women and men are fairly equally represented in the hierarchy of the EP. The gender situation and the distribution of rank responsibilities make the EP a fairly equal opportunity employer.

**Age** In terms of age most of the professionals working in the EP, 64 per cent, are less than forty years of age. This makes the staff of the EP a young administration and similar to the US Congress (Fox and Hammond, 1977), but different compared to European parliamentary administration (for example in France the average age is 48 years old and only one fifth of officials in the central administration are less than forty years of age). In the EP there are differences among administrators, political advisors and parliamentary assistants. The majority of the latter tend to be on average in their late twenties and early thirties and, thus, younger than administrators and political advisors. The average age of APAs surveyed for this study is 33.5 years, and more than half of them are actually younger than that. Administrators and political advisors are on average ten years older than APAs. Administrators tend to be older than political advisors, but the difference is a few months and therefore negligible. More than half of all the administrators and nearly half of all the political advisors are more than 41 years old, while this is true for only twelve per cent of the APAs. Despite the youthfulness of legislative staff - parliamentary assistants in particular - individuals of all ages occupy the different positions in the EP (i.e. the minimum age is between 25 and 26, while the maximum age is between 63 and 65). There is a perception that the job of a parliamentary assistant is a job for young professionals (Michon, 2014). However, the survey shows that there are cases where MEPs hire assistants, which are more than 30 years old.

**Tenure** Age is important because it is an indicator of someone's professional experiences, which is in turn related to someone's tenure in an organisation and exposure to organisational socialisation. As expected, assistants spend on average the least time in employment

in the EP (less than four years or one full mandate). On the contrary to parliamentary assistants, political advisors show a greater tenure (on average ten years), which is similar to the one of administrators (on average nine years of experience in the EP). While about fifty per cent of parliamentary assistants have at least three years of working experience in the EP, the majority of administrators and political advisors have more than seven years of experience.

**Experience** Staff were asked to respond to a series of questions asking them about their employment history (see Table 8.2). More than three quarters of all the surveyed staffers came to work for the EP with some prior job experience. The most common job experience is work in the private sector, followed by work in the national government and other public or semi-public institution. A majority of administrators has also the experience of working for another EU institution than the EP, which is atypical for political advisors and APAs. A very small minority of legislative staff has been involved in international organisations other than the EU.

Table 8.2: Job Experiences

Prior working experience in...	% (N of total responses)
Private organisations	81 (135)
Government	58 (137)
Public or semi public institutions	56 (127)
EU institution other than EP	39 (116)
Political party	31 (106)
Other position in the EP	142 (346)

**EP Mobility** Since there are plenty of mobility opportunities within the EP, respondents were asked whether they ever occupied any another job position in the EP. The answers show that two fifths of the professional staff have changed positions in the EP. Mobility within the EP is more likely for administrators and political advisors than parliamentary assistants. None of the APAs, which responded to the survey, has ever worked for the general secretariat.

**Partisanship** The survey included two questions to assess the political ideology of staff. The first one asked them whether they had ever *worked* for a political party. The second one asked them whether they had ever been a *member* of one (see Table 8.3). The results show, that those who have been employed by a political party at any time in the past are also more likely to be members of a political party and the opposite.<sup>5</sup> This relationship is stronger for administrators and assistants than political advisors.<sup>6</sup> However, a greater number of political group advisors are members of a party compared to administrators and assistants. Around two fifths of political advisors and APAs had been employed in a

<sup>5</sup>Correlation coefficient is 0.49 ( $p < 0.01$ ).

<sup>6</sup>Based on the Cramér's V coefficient.

political party prior to coming to the EP compared to one fifth of administrators. As in the case of employment, only one fifth of administrator claim to be members of a political party. On the contrary, 67 per cent of political advisors and 46 per cent of assistants are members of a political party. It seems that membership in a political party is more common than employment. However the results on membership and employment indicate a similar pattern: political advisors and assistants show a greater political involvement through employment and membership in a political party than administrators.

Table 8.3: Employment and Membership in Political Parties

	Employment			Membership		
	No	Yes	Total	No	Yes	Total % (N)
Secretariat admin. %	78	22	100 (37)	80	20	100 (95)
Political advisors %	39	61	100 (23)	33	67	100 (54)
Accredited assistants %	38	62	100 (39)	54	46	100 (160)
Total % (N)	68 (67)	32 (32)	100 (99)	42 (128)	59 (181)	100 (309)

**Education** Training refers to the level of education attained and the subject studied. The EP mostly recruits people with at least a bachelor degree. In the past, most of the employees were lawyers, while social sciences professions are now becoming every day more important (Georgakakis and Lassale, 2013). Given the results of the survey, a large majority of legislative staff, 78 per cent, has a master's degree (see Table 8.4). Based on the collected data administrators holds degrees of higher specialisation than APAs and political advisors. None of the administrators is employed on a high school diploma, as it is also required by the conditions of employment. A large majority, 73 per cent, has also studied abroad.

Most of the staff hold either a degree in law (26 per cent) or social sciences (39 per cent) (Table 8.5). The most common training for administrators is law, while political advisors and APAs have most commonly a background in social sciences. Georgakakis and Lassale (2004) have observed that the profession of economist is on the rise in the Commission. Of those surveyed in the EP, 16 per cent were trained in economics. Another 14 per cent were trained in arts and humanities. It appears that training in the EP has a social science and legal orientation, rather than an economic one.

Even less represented are the professions requiring training in engineering, life sciences, math and physics. This indicates that there is predominant generalist orientation, rather than a specialistic one. In one of the interviews an administrator described in the following way the profile of an average EP staff: 'In the parliament I would say there are, except for a very few specialised units, mostly generalists, even in the committee secretariats. You have to be normally a generalist, because you are covering several topics at the same time,' (Interview A, 2012).

Table 8.4: Level of Education

Level	Administrators %	Advisors %	Assistants %	Total % (N)
High school	0	6	2	2 (8)
Bachelor's degree	6	23	13	13 (43)
Master's degree	78	68	81	78 (267)
Doctoral degree	16	3	4	7 (26)
Total % (N)	100 (107)	100 (57)	100 (164)	100 (328)

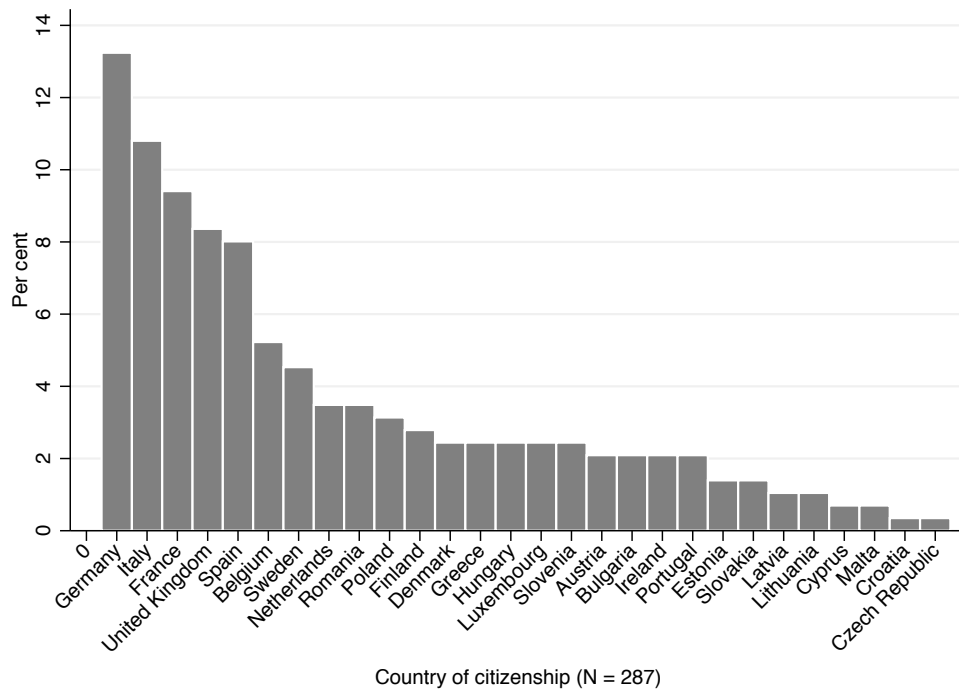
Table 8.5: Educational Training

Training	Administrators %	Advisors %	Assistants %	Total % (N)
Social Sciences	27	45	46	38 (91)
Law	40	22	19	28 (66)
Economics & Business	16	8	18	15 (36)
Arts & Humanities	11	17	15	14 (33)
Other	5	8	2	5 (12)
Total % (N)	100 (92)	100 (60)	100 (90)	100 (242)

**Citizenship** Recruitment in the EU is open to all the nationals from EU member states. Hence, the EP is an organisation employing individuals from 28 different countries. As a rule, people working in the EP are there to work for the EP and MEPs rather than their countries of origin. Even though not formally acknowledged, the hiring policy of the EU takes into consideration the citizenship of candidates. The composition of staff is supposed to be proportional to the population of member states. This implies that most of the staff should have German, French, British or Italian citizenship. The representation of different nationalities in this study follows the above-mentioned population pattern to a large extent (see Figure 8.3). Most of the legislative staffers come from countries that acceded the EU before 2004. However, this might be due to a low response rate from citizens of countries that joined the EU in and after 2004.

If the EU is divided into four geographical regions, then we see that legislative staff are mostly from the west (36 per cent) and south (28 per cent). While the representation of the north makes up almost for one quarter of legislative staff, the number of staff from the east lags behind (13 per cent). Twelve per cent of all the respondents has also dual-citizenship. There are no significant variation in terms of citizenship representation among and between administrators, political advisors and APAs.

Figure 8.3: Citizenship



### 8.3.2 Institutionalisation

When invoking institutionalisation one refers to all practices that are unwritten, but observed by the members of the organisation. Institutionalisation is a multi-dimensional concept, where in order to measure it, it is desirable to use multiple indicators. As a result, institutionalisation is a difficult concept to operationalise (Egeberg, 2004, p. 206). In previous research institutionalisation has been operationalised as an attitude and most of the literature on the EU has treated it as a dependent rather than an independent variable (e.g. Hooghe 2005; Beyers 2005; Lewis 2005).

In this study institutionalisation is operationalized as an independent attitudinal variable. It has been observed that individuals in the EP widely share the concern for Europe/EU (Egeberg et al., 2013). This is corroborated by research on other EU institutions (Shore, 2000; Georgakakis and Lassale, 2007; Cini, 1996). Moreover, the concern over Europe/EU is supposed to be specific for the EU's administration compared to national civil services, where such concern is uncommon (Hooghe, 2012). Staff might be concerned for Europe/EU, also due to the fact that the same concern is enshrined in the treaties and staff regulations as a norm of conduct. On the assumption that, the concern for Europe/EU is shared among the majority of the administrative players in the EP, the concern for Europe/EU is considered an institutional value.

The study of public administration behaviour is rich with indicators, which measures similar concepts, such as loyalty, public service motivation (PSM) and commitment. The

concept of PSM has in recent years been applied to many European national administrations (Hondegheem and Vandenabeele, 2005; Vandenabeele et al., 2006; Vandenabeele and Walle, 2008; Giaque et al., 2010) and an attempt has been done also for the European Commission (Vandenabeele and Ban, 2009). This study draws from this literature to select indicators for expressing the institutionalised value of concern for the EP/EU. What is claimed is that in the absence of a reliable measurement of institutionalisation, these statements offer an approximation for the empirical estimation whether institutional values affect administrative behaviour in the EP. Table 8.6 presents the selected indicators.

Table 8.6: Institutionalisation

<b>Respondents that agreed or strongly agreed with the following statements:</b>	<b>% (Total N of responses)</b>
Attitude 1: Serving the European public interest is an important drive in my daily life (at work or outside work).	79 (265)
Attitude 2: What I do should contribute to the welfare of European citizens.	87 (334)
Attitude 3: To me, serving the European public interest is more important than helping individual persons.	34 (330)

## 8.4 Concluding Remarks

On the basis of organisation theory, this chapter has formulated and operationalized hypotheses in order to explore the behaviour of legislative staff in the EP. In order to test the above-mentioned sub-hypotheses, the chapter has described the organisational structures that are likely to affect the behaviour of legislative staff in the EP: rank, administrative affiliation, functional specialisation policy specialisation and political affiliation. Besides these five structures, there are other formal ways in which the work of legislative staff is organised, but are not included in this study. For example, it is not sensible to include organisational structures such as full/part working time, because the majority of staff in the EP is employed for full time (European Parliament, 2013e; European Parliament, 2013f). While it would be interesting to see how secondment in the EP from national administration influences behaviour, quantitatively it is not possible due to the small amount of seconded officials in the EP compared to the European Commission. Similarly, there not enough observations for a meaningful statistical analysis on contract staff in the EP. One could also include the geographical location of one's place of employment, as it has been demonstrated that different locations influence behaviour (Kuus, 2011). However, given the fact that the population of legislative staff is based in the Brussels building near *Place du Luxembourg*, location is not taken into consideration. Therefore, the study takes into account the organisational structures, which are statistically observable and theoretically relevant.

Table 8.7: Summary of Horizontal Specialisation

Variables	Definitions	Values (N of observations)
Administrative affiliation	Administrative affiliation inside the EP	Nominal: Administrators in the Secretariat (N = 127) Political groups' advisors (N = 72) Accredited parliamentary assistants (N = 192)
		Dummies: Administrators in the Secretariat (Yes = 127, No = 124) Political groups' advisors (Yes = 72, No = 319) Accredited parliamentary assistants (Yes = 192, No = 199)
Functional Specialisation	Do you follow the work of at least one committee?	Yes (N = 327) No (N = 52)
	Secretariat administrators working in one of the committee secretariats	Yes (N = 71) No (N = 51)*
Policy specialisation	Main working area	Nominal: Economic and scientific policy (N = 96) Structural and cohesion policy (N = 52) Citizens rights and legal affairs (N = 56) Budgetary affairs (N = 35) Foreign affairs (N = 63)
		Dummies: Economic and scientific policy (Yes = 96, No = 205) Structural and cohesion policy (N = 52, No = 249) Citizens rights and legal affairs (N = 56, No = 245) Budgetary affairs (N = 35, No = 266) Foreign affairs (N = 63, No = 239)
Political specialisation**	Political ideology of MEP or political group	Nominal: EPP (N = 69) S&D (N = 64) ALDE (N = 40) Green/EFA (N = 37) ECR (N = 15) GUE/NGL (N = 11) EFD (N = 10) NA (N = 8)
		Dummies: EPP (Yes = 69, No = 185) S&D (Yes = 64, No = 190) ALDE (Yes = 40, No = 214) Green/EFA (Yes = 37, No = 217)
		Centre (EPP, S&D, ALDE) (N = 173) *** Left wing (GUE/NGL, Greens/EFA) (N = 48) Right wing (ECR, EFD) (N = 25)

Notes: \* The No value includes secretariat officials working in policy departments (N = 21), legal service (N = 11), delegations to third countries (N = 8) and other departments (e.g. STOA, IMPA, EAVA) (N = 11). \*\*Applicable only for respondents who revealed the name of the political family of their employer, i.e. APAs and political advisors. \*\*\* Based on the most common voting coalitions between 14 July 2009 and 14 June 2013 as calculated by votewatch.eu.

Table 8.8: Summary of Demography

Variables	Values (N of observations)
Age	$\bar{x} = 39$ , $sd = 9.8$ , $min = 25$ , $max = 65$ , $N = 313$
Experience	$\bar{x} = 6.9$ $sd = 6.7$ , $min = 0.33$ , $max = 33.42$ , $N = 351$
Prior experience in the EP	Yes ( $N = 146$ ) No ( $N = 200$ )
Gender	Female ( $N = 150$ ) Male ( $N = 175$ )
Citizenship based on enlargements	Citizens from member states before the 2004 enlargement ( $N = 241$ ) Citizens from members who joined in 2004, 2007 and 2013 ( $N = 60$ )
Region of origin*	South (Italy, Spain, Croatia, Portugal, Greece, Cyprus, Malta, Slovenia; $N = 83$ ) North (Denmark, Estonia, Finland, Ireland, Latvia, Lithuania, Sweden, UK; $N = 69$ ) West (Austria, Belgium, France, Germany, Luxembourg, Netherlands; $N = 111$ ) East (Bulgaria, Czech Republic, Hungary, Poland, Romania, Slovakia; $N = 38$ )
Area of education	Law ( $N = 66$ ) Social sciences ( $N = 91$ ) Arts and humanities ( $N = 33$ ) Other ( $N = 12$ )
Level of education	Master and Doctorate ( $N = 293$ ) Bachelor and High School ( $N = 51$ )
Party membership	Member of a political party ( $N = 135$ ) Not a member of a political party ( $N = 185$ )

Note: \* Based on the geographical division of Europe of the United Nations, ECOSOC (2013).



## Chapter 9

# Legislative Assistance as Behaviour

While the previous chapter has presented the independent variables, the following one focuses on developing the dependent variable, which is legislative assistance. Defining and subsequently measuring legislative assistance serves two purposes. First, it enables the comparison of different administrative players in the EP following the sub-hypotheses formulated in the previous chapter. Second, it allows exploring what it means to assist members of parliament. Section 8.1 stated that one of the reasons to employ organisation theory is its usefulness to explore assistance to MEPs. This chapter is mainly about this contribution, i.e. the exploration of staff's activities. Subsequently, the definition and operationalisation of legislative assistance allows testing the hypothesis that organisational structures affect staff's behaviour (Chapter 10).

### 9.1 The Argument

Not a lot is known about legislative assistance as a type of behaviour, which makes it an undefined concept. The main argument in seeking to define legislative assistance is that we need to take into account the multiplicity of administrative actors and the complex character of legislative tasks. So far scholars have conducted research based on individual tasks and administrative players. For the most part, legislative assistance is understood as drafting reports and amendments together with a member of parliament (e.g. Winzen 2011; Marshall 2012; Dobbels and Neuhold 2013). Reports and amendments are considered to be central tasks through which the EP can exercise influence on EU legislation (e.g. Bowler and Farrell 1995; Kreppel 2002; Ringe 2010). Drafting assistance is especially important when considering the inclusion rate of EP's amendments into EU law. The majority of amendments the EP suggests are, in fact, included in an unchanged or modified form into EU's final legal acts (Chalmers et al., 2010, p. 106).

**Complex Tasks** While drafting reports and amendments are possibly the most prominent legislative tasks, they are by no means the only activities through which legislation is prepared. For example, participating in negotiations, providing research material and

selecting witnesses for hearings are tasks, which staff can be asked to do and which can potentially impact legislation. Moreover, it has been pointed out that tasks that are presumably technical (e.g. the preparation of voting lists or preparing the agenda for committee meetings) can also have a substantive effect on legislation (Winzen, 2011). For example, voting items are ordered based on their distinctness from the original proposal. MEPs vote first on amendments or paragraphs, which change the original text the most. Putting into order voting items is deemed a technicality. However, if one of the first amendments is adopted, then all subsequent amendments are rejected. Hence, the order of voting items can potentially also affect the outcome of legislation (Interview Y, 2013).

One can argue also the opposite. Tasks that are deemed substantive can turn out to be of little consequence for legislation. This can be the case of amendments, which any MEP can table in the first reading of a Commission's proposal. While the inclusion rate of EP's amendments into EU law is relatively high, not all of MEPs' amendments are considered in plenary. Taking as an example the last revision of the General Data Protection Regulation (2012/0011 COD), we see that more than four thousands amendments were tabled in committee. However, only 196 amendments were proposed in the committee report tabled for plenary. The amendments tabled for plenary are basically compromises that a majority in parliament - and the Council in cases of early agreements - is likely to adopt. Hence, through negotiations MEPs weed out certain amendments and decrease the relevancy of drafting assistance.

**Multiple Actors** Most of the information on the type of tasks that staff perform derives from research that has primarily studied the role of committee officials and thus excluded the specific roles of other administrative players in the EP. The assumption is that committees are at the centre of the legislative process. Consequently, committee staff are assumed to be the most important actors in assisting MEPs (Marshall, 2012, pp. 3-5; Neuhold and Dobbels 2014, p. 2; Winzen, 2011, p. 28). However, legislative staff is not a synonym for committee staff. Or at least officials of committee secretariats are not the only administrative actors to actually work in committee. Legislative staff encompasses all those individuals who are employed in parliament to assist members of parliament in decision-making, controlling of the executive (i.e. Commission) and formulating legislation.

As described in Part I there is today a market of information within the EP. A multitude of administrative actors have existed since the establishment of political groups' secretariats in 1953 and the introduction of the staff allowance in 1974. However, political advisors and accredited assistants did not always have the resources to work on legislative proposals. For example, in the beginning MEPs' assistants were not allowed to attend committee meetings. Through the improvement of working conditions the role of these administrative players rose. The central secretariat has been reformed as well. Aside from the traditional committee secretariats, the EP administration consists of specialised units for research and legal advice.

Due to the professionalisation of services, the role of administrative players has diver-

sified. Some staff might be involved in one activity, while others might be called upon for other tasks. For example, assistants might be more likely to conduct research and contribute to policy ideas than others. As a result, the role of respective administrative actors has to be considered in relation to one another and in respect to a multitude of activities. To analyse the role of legislative staff it is important to take into account of the multiplicity of actors in the EP and to define legislative assistance in the broadest way possible.

In order to do so, two quantitative measurements for legislative assistance are developed on the basis of original data (see Chapter 4). The first measurement consists of individual task or items, which were discerned from interview data based on a content analysis. The frequency of each task was assessed with a survey. Overall thirteen tasks were examined to account for the work complexity in the EP. The second measurement consists of a selected number of tasks gathered into a scale. The operationalisation of legislative assistance with a scale is the biggest advantage of the study. Probing into the behaviour of staff with an alternative measure, such as the scale of legislative assistance can show the robustness of the most recent findings. In order to obtain the scale a principal component factor analysis (PCA) was carried out.

Two different measures are used, because when drawing conclusions on individual tasks, the validity of the analysis is at best unknown. In other words, are drafting amendments or reports the only activities affecting legislation in the EP? Or are there other tasks, which should be taken into consideration? Analysing data with PCA solves this problem, since a number of items is selected into a component. The selection of items takes into account the statistical importance of an individual item in relation to other items. Together these items underlie a latent dimension of legislative assistance, which can be measured with a scale variable. PCA allows us to observe a series of tasks that are by frequency central to legislative assistance. It has the advantage of simplifying the analysis by reducing data compared to reporting results for individual variables (Kline, 1994, p. 39).

Comparing staff on different tasks and dimensions has also future applicability. For example, we know that in the past, administrators of the EP's general secretariat have very often drafted entire reports for rapporteurs and MEPs. While this is not as common as it used to be, secretariat administrators might carry out other activities in which they are of the outmost importance for MEPs. Similar changes are likely to happen in the future given the most recent reforms restructuring the role of accredited assistants and research staff (see Section 7.6). For the moment and given the existing research, the comparisons that can be drawn with the past are based on vague definitions and exploratory work. Re-administering the survey to obtain panel data and replicating PCA could accurately detect changes.

The remaining of the chapter is structured in the following way: the first part of the chapter (Section 9.2) is dedicated to the presentation of the individual items serving as indicators of legislative assistance. The second part (Section 9.3) then presents the development of the scale.

## 9.2 Legislative Tasks

The tasks of legislative staff in the EP were identified based on semi-structured interviews and the content analysis thereof (see Section 4.2.1). In order to facilitate analysis interview data were coded. Seven different first level thematic codes were used. The codes indicated the job profile respondents were describing (Table 9.1). Some of these codes were then further broken down given the tasks' characteristic. Table 9.2 gives examples of the tasks that were derived from the analysis of interviews. Following this procedure thirteen tasks were identified:

- Provide advice on parliamentary procedures
- Provide legal advice
- Provide advice on the line to take on a policy (e.g. Advise MEPs on how to vote, argument in favour of a position, assess if there is a majority, etc.)
- Contribute to policy ideas (e.g. Develop policy solutions/alternatives, etc.)
- Research (e.g. Draft briefings/background notes/studies, etc.)
- Draft amendments (Including compromise amendments)
- Draft legislative or own-initiative reports
- Negotiate with political groups
- Negotiate with Commission/Council/Presidency
- Coordinate MEPs positions (e.g. Find a compromise, etc.)
- Prepare voting lists (e.g. Position amendments/other voting items, etc.)
- Organise (e.g. Schedule meetings, prepare timetables, info circulation, etc.)
- Attend meetings

Figure 9.1 shows the frequency results obtained with the survey for each administrative group in the EP and for all staff together. Each column in the graphs is understood as an activity or indicator of legislative assistance.

## 9.3 The Activity of Legislative Assistance

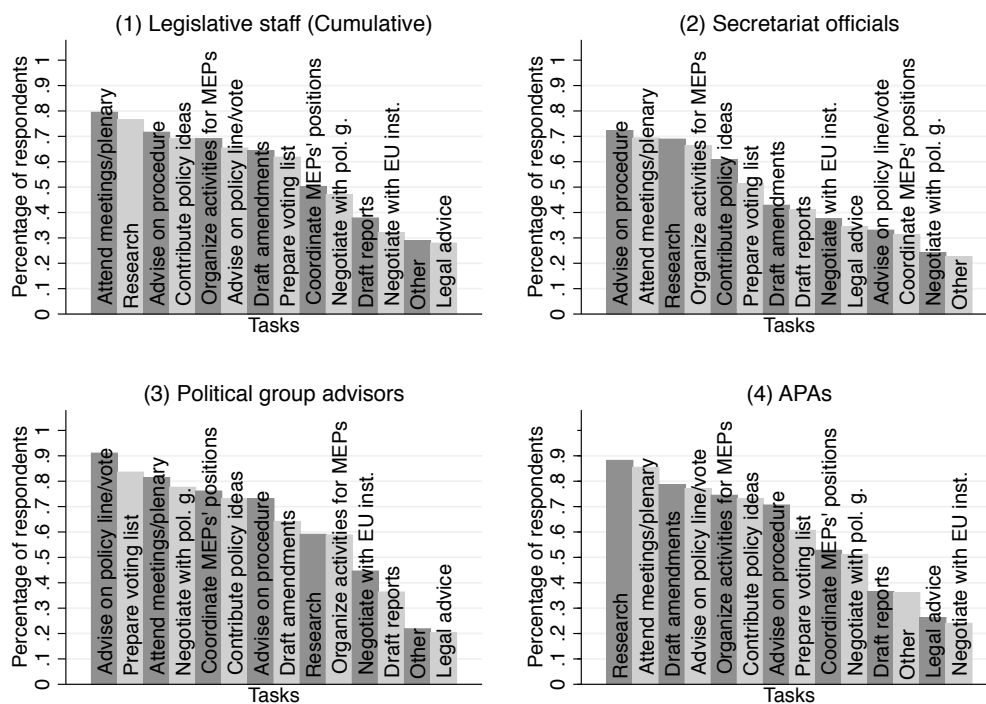
### 9.3.1 Principal Component Factor Analysis

Legislative assistance is defined not only on individual items, but also as a composite phenomenon of different indicators. In order to obtain such a composite measure a principal component factor analysis (PCA) was carried out on tasks listed in Section 9.2. The

Table 9.1: Coding

First level code	Second level code
Advisor	On what topic? Parliament procedure, Legal issues, Politics, Policy, Vote
Negotiator	With whom? Political groups, Institutions
Drafter	What? Reports, Amendments, Other
Communicator	With whom? Media, Public
Researcher or Informer	Of what? Research material, New ideas, Meetings
Organiser	Of what? Events, Travel
Coordinator of MEPs positions	
Translator	

Figure 9.1: Frequent and Very Frequent Tasks



Note: The number of observation for each task and category of staff is reported in Table A.1 in the Appendix.

Table 9.2: Examples of Interview Analysis

Survey items	Examples in interview data
Prepare voting lists	<p>‘The secretariat prepares the voting list, but it is me and the political advisors who indicate the minuses and pluses.’ Interview M, 2012</p> <p>‘You have to do the positioning of the amendments, how will they go logically, it is not so automatically as it always looks. On the basis on how you position the amendments you do the voting list.’ Interview A, 2012</p>
Provide advice on parliamentary procedures	<p>‘A very important function of administrators working in committee secretariats is to prepare voting lists, to decide which amendments to be put to vote first, when are compromise amendments, how they are being drafted, when are splits votes allowed, when are oral amendments allowed etc.’ Interview B, 2012</p> <p>‘Normally he has the ideas, he writes the report and you know the procedures.’ Interview L, 2012</p>
Provide legal advice	<p>‘You have to know all the legal rules on legislation, what kind of procedure it is, do we go towards a codecision for example, things like that.’ Interview G, 2012</p> <p>‘Then our legal service was involved in drafting compromises, so the Directorate for Legislative acts. They are basically lawyer linguists and they are always involved.’ Interview B, 2012</p> <p>‘The MEP was a lawyer by profession as well and she wanted to know the legal implications of what was being adopted. So we had a lot of discussions on the legal aspect, not just political implications per se.’ Interview I, 2012</p>
Contribute to policy ideas	<p>‘I am supposed to contribute with ideas. So I would propose issues that should be raised, should be changed or should be deleted or change places.’ Interview G, 2012</p> <p>‘I can identify topics, where he could amend.’ Interview G, 2012</p> <p>‘I would discuss with her: “I think think the policy is moving this way, I think maybe the PES will do this and this, we don’t have a majority whatever... Or there are special lobby groups that think this.” As I got to know here it was becoming less factual and more my perception of the things.’ Interview I, 2012</p> <p>‘We organise the agendas, but we go to the substance.’ Interview K, 2012</p>
Provide advice on the line to take on a policy	<p>‘With all this information we advise the way to go [...] whether to go this way or the other way and having the knowledge and the capacity to explain why not this way, but it is better this way.’ Interview G, 2012</p> <p>‘So a group adviser you know, he must have a position, he must have an opinion, he must dare to pronounce it, to fight for it, even if it is sometimes against certain members’ will.’ Interview K, 2012</p> <p>‘I can prepare a note, where I explain which is the line that should be the line that he [the MEP] should take.’ Interview G, 2012</p> <p>‘The MEP makes the political decision. He does not look at the technicality. So, you have to explain to him what it means to choose between A or B and what are the consequences.’ Interview M, 2012</p>

Table 9.2: Examples of Interview Analysis - *continued*

Survey items	Examples in interview data
Negotiate with political groups	<p>‘Well in a political group when you are a political adviser your job is twofold. One part is to advice to do the right policy, to develop the policy. The second part is to make sure that this policy finds a majority in the house.’ Interview C, 2012</p> <p>‘Before the vote you do the compromise, amendments within the committee with other groups, because you have the shadow and other political groups within the committee.’ Interview A, 2012</p>
Negotiate with Commission, Council, Presidency	<p>‘Some negotiations skills are quite essential to advice the rapporteur and the chairman during the negotiations both with the Council, with the Presidency. But also let’s say when negotiating compromises with the groups if you are required to give advice.’ Interview B, 2012</p> <p>‘Because after the vote has been taken in the committee, you have to do the trialogues, you do negotiations.’ Interview A, 2012</p>
Draft reports	<p>‘My task was to work for him [MEP] for the preparation of the reports.’ Interview J, 2012</p> <p>‘Own-initiative reports are more creative. You can write a lot.’ Interview A, 2012</p> <p>‘Well, I didn’t write one, but almost. Yes, I did one with an assistant and we clearly wrote both of us the whole report. So I went beyond the tasks of just giving ideas.’ Interview G, 2012</p>
Draft amendments	<p>‘And then you really sit down with them and you do the compromises, you really draft them together.’ Interview A, 2012</p> <p>‘And one of the jobs in the secretariat is to identify the articles on which you received the most amendments and try to find some possible draft compromise and for that you have to be quick.’ Interview H, 2012</p>
Coordinate MEPs positions	<p>‘I do everything [...] to ensure that we can develop a coherent position in the group. And work with the President to ensure that that happens.’ Interview N, 2012</p> <p>‘I coordinate, because I am the link between the member, the political advisors and the technical part of the secretariat.’ Interview M, 2012</p> <p>‘I tell him [the MEP] that I met with the Liberals, Socialists and Greens and that the assistant of the liberals has told me this, that of socialists has different concerns...’ Interview M, 2012</p> <p>‘So what we do, we call all these draftsmen from different committees on our side, put them together in a room and we develop a joint position.’ Interview K, 2012</p>

Table 9.2: Examples of Interview Analysis - *continued*

Survey items	Examples in interview data
Research	<p>‘As we know the topics in advance, that allows me to have a first contact and knowing where problems are, where big problems will lie, how different delegations behave even before the proposal is coming...’ Interview G, 2012</p> <p>‘The administrator has to go to the sort of factual effects of legislation, whether it is going to be good legislation, whether it will sort of serve the purpose and fit well into the whole context, whether it will find a majority, how it will be taken up or criticised by Council.’ Interview G, 2012</p> <p>‘You do your own research and whatever you know... You actually have to do a lot of research for a report.’ Interview A, 2012</p> <p>‘I had to do briefings on various subjects.’ Interview B, 2012</p>
Organise	<p>‘So this part takes up drafting letters, authorisation, checking interpretation requirements, checking whether the room is available...’ Interview B, 2012</p> <p>‘You are supposed to know how to administratively manage the committee.’ Interview L, 2012</p> <p>‘They [MEPs] can ask you to set up meetings.’ Interview A, 2012</p> <p>‘You have to follow the agenda concerning Brussels, because in the constituency there is obviously another assistant.’ Interview M, 2012</p>
Attend meetings	<p>‘I would go to a meeting, I would take notes.’ Interview I, 2012</p>

assumption underlying PCA was that the survey items measuring how frequently staff perform different tasks, are all composite measures of legislative assistance. The plausibility of this argument is based on the fact that the survey questions were derived from the analysis of interviews with EP staff. In addition, when the survey was carried out, the sampling criteria specifically targeted staff in the EP whose work is related to committees, policy departments, legal service and related services.

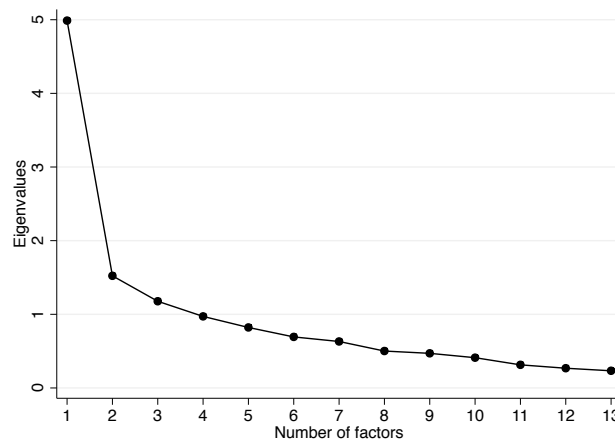
**Procedure** In this study, PCA identified tasks, which are relevant for legislative assistance in the EP for the time the survey was carried out (i.e. the seventh term of the EP). The sample included 337 observations, where any record, which included a missing value, was excluded (i.e. listwise deletion).<sup>1</sup> Initially, the factorability of the thirteen items was examined. All the thirteen items correlated at 0.30 with at least one other item, suggesting reasonable factorability (see Table A.2 in the Appendix). The examination of the Kaiser-Meyer Olkin measure of sampling adequacy (KMO) suggested that the sample was factorable (KMO = 0.84, which is above the commonly suggested value of 0.60). The communalities (i.e. *Uniqueness* – 1, see the last row in Table 9.3) were all above 0.30, further confirming that all the items shared some common variance with other items. After verifications on the statistical sense, PCA results were retained.

<sup>1</sup>In the beginning there were 391 observations. Due to missing data 54 observation were lost.



**Outcome** On the basis of the thirteen variables PCA identified three factors or dimensions. Figure 9.2 shows this as the scree plot starts to level off with the fourth factor. This suggests that three factors are needed to account for legislative assistance, while the rest can be dropped. Initial eigenvalues indicated that the first three factors explained 58 per cent, 12 per cent and 9 per cent of the variance respectively. Figure 9.2 also shows that the first factor is clearly dominant. The remaining eleven factors had eigenvalues below one, and each explained between eight and three per cent of all the variance.

Figure 9.2: Scree Test



In order to select the items that best represent the dimension of legislative assistance, the three solutions, which together accounted for 79 per cent of the variance, were then examined using orthogonal (varimax) and oblique (promax) rotations. The rotation procedure allows interpreting the factor loadings, which are otherwise the result of algebraic calculations. In the orthogonal rotation the factors are uncorrelated with each other, while the oblique rotation allows factors to be correlated. There was little difference between the two rotations, but the oblique rotation showed more clearly a simple structure (Kline, 1994, pp. 65-68). A simple structure means that each factor has a few high loadings (over 0.40) with the rest of the loadings being zero or close to zero (between  $\pm 0.10$ ) (Acock, 2012, p. 344; Gorsuch, 1983, p. 180).

Table 9.3 shows the results from the oblique rotation. After the rotation, Factor 1 had eight items with a loading above 0.40, while Factor 2 and Factor 3 had only three items with a loading greater than 0.40. Two items (Items 4 and 9) had a cross-loading above 0.40 (i.e. complex variables). Item 4 had a stronger primary loading on Factor 1, while Item 9 had a stronger primary loading on Factor 3. Given the dominance of Factor 1 in terms of explained variance and strong loadings, it was decided that it represents legislative assistance in the most reliable way. This was also confirmed by calculating the Cronbach's alpha. The alpha coefficient for the tasks loading on Factor 1 was 0.88 (see Table 9.4), while the items on Factors 2 and 3 had an alpha of less than 0.80.

Table 9.3: Factor Loadings and Communalities (Varimax Rotation)

N	Item (Task)	Factor 1	Factor 2	Factor 3	Uniqueness
1	Provide legal advice	-0.20	0.04	<b>0.91</b>	0.25
2	Provide advice on parliamentary procedures	0.25	0.18	<b>0.62</b>	0.37
3	<b>Provide advice on the line to take on a policy</b>	<b>0.65</b>	0.22	-0.05	0.45
4	<b>Contribute to policy ideas</b>	<i>0.48</i>	<i>0.38</i>	-0.01	0.48
5	Research	-0.05	<b>0.74</b>	-0.08	0.47
6	<b>Draft amendments</b>	<b>0.80</b>	0.05	-0.12	0.38
7	<b>Draft legislative or own-initiative reports</b>	<b>0.76</b>	-0.07	0.01	0.45
8	<b>Negotiate with political groups</b>	<b>0.78</b>	-0.09	0.11	0.37
9	Negotiate with Commission/Council/Presidency	<i>0.48</i>	-0.18	<b>0.55</b>	0.34
10	<b>Coordinate MEPs positions</b>	<b>0.80</b>	0.01	0.02	0.34
11	<b>Prepare voting lists</b>	<b>0.80</b>	-0.03	-0.09	0.41
12	Organise	0.06	<b>0.66</b>	-0.07	0.54
13	Attend meetings	-0.07	<b>0.73</b>	0.22	0.44

Note: N = 337

Table 9.4: Descriptive Statistics for the Legislative Assistance Scale as a Factor Score

	N of items	N of obs.	Mean	SD	Min	Max	Cronbach's $\alpha$
Factor 1	7	354	0.00	1.00	-2.45	1.51	0.88

### 9.3.2 Scale

A scale variable measuring the frequency of involvement in legislative assistance was constructed based on the correlation matrix of thirteen tasks and the PCA. The scale was built in such a way to include only tasks that are the most central to legislative assistance in the EP. In other words, PCA leads to the selection of tasks, which are most commonly executed by the same person and weighted the most. As demonstrated in the previous section, these tasks pertain to the simple structure of Factor 1: offering political or voting advice, contributing to policy ideas, preparing amendments and reports, participating in the negotiations with political groups, coordinating MEPs' positions and preparing of voting lists.

After the seven tasks were identified to load on one dimension, the scale was constructed based on factor scores. This means that the ordinal responses on the frequency of tasks were translated into standardised scores on an interval level. Using factor scores, as opposed to calculating means, weights each of the tasks differently based on how central they are to the first factor. This means that drafting amendments, coordinating MEPs positions and preparing voting lists (Items 6, 10 and 11 in Table 9.3) with a 0.80 loading are the most important items weighted on the scale.

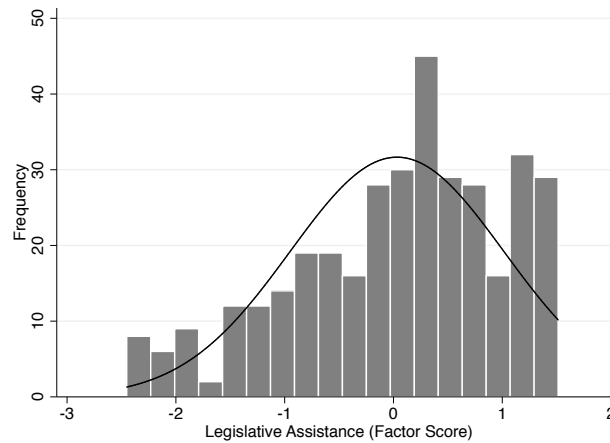
Figure 9.3: Independent Variable: Legislative Assistance (*lega*)

Figure 9.3 shows the distribution of the variable, which was named legislative assistance (i.e. *lega* in the subsequent analysis). The variable takes values from a minimum of - 2.45 to a maximum of 1.51. Because the values of the original data were standardised the mean is equal to zero and the standard deviation is one (Table 9.4).

**Validity** One could argue that by omitting certain tasks, the scale is biased towards one specific staff segment. At first glance it seems that the scale of legislative assistance privileges the role of political group advisors over the one of secretariat officials and accredited assistants. By excluding tasks such as research, organisation of activities and attendance of meetings (Factor 2 in Figure 9.3) the scale could underestimate the role of accredited assistants. Even though accredited assistants perform these tasks more frequently than anybody else, the differences are not systematic and in some cases they are small.<sup>2</sup> Similar reasoning can be applied for the tasks relating to legal and procedural advice and the assistance in inter-institutional negotiations (Factor 2 in Figure 9.3). While in the case of legal advice, there are no differences among staff groups, there are only small differences for providing procedural advice. Moreover, participation in negotiations with the EU institutions is in general an infrequent activity. For these reasons excluding or including these specific tasks does not bias the outcome. Nevertheless, the exclusions of the tasks mentioned above increases the reliability of the concept.

**Reliability** Previous research has mainly focused on analysing legislative staffers whose work is strictly related to committees in the so-called committee secretariats. However, the exploratory research of this article indicated that legal and research staff in the central secretariat are also involved in legislative assistance. For this reasons and as shown above,

<sup>2</sup>For example, parliamentary assistants are only more likely to be involved in the organisation of activities for MEPs compared to political group advisors, but not compared to secretariat officials. In a similar way parliamentary assistants attend meetings more frequently only compared to secretariat staff and not political groups advisors (see Table 10.2).

legislative assistance was defined using observations pertaining to committee, research and legal staff. Since the division of work in MEPs offices and political groups is less formalised than in the central secretariat, constructing a scale, which includes committee, research and legal staff can create a bias in favour of political group advisors and APAs. In order to control if this is the case, a PCA using observations pertaining to committee staff only was performed.

Taking into account only committee staff produced two factors with satisfactory reliability. The first factor was composed of tasks measuring the preparation of a legislative text (i.e. drafting amendments and reports, preparing voting lists). The second factor included tasks measuring the preparation for the vote (i.e. advice on how to vote, coordination of MEPs positions and negotiations with political groups). However, while the operationalisation of legislative assistance changed, the results of the analysis of variance were not remarkably different compared to using the definition of legislative assistance, which includes committee, legal and research staff. No matter the definition, the role of political group advisors does not change substantially. When legislative assistance was operationalised as the preparation of a legislative text, there were no differences between committee staff in political groups and the central secretariat, while the role of APAs diminished in importance. When legislative assistance was operationalised as the preparation of vote, the results remained the same compared to the scale of legislative assistance, which takes into account the committee, legal and research staff.

## 9.4 Results

### 9.4.1 Legislative Tasks

Several general findings on the nature and frequency of tasks can be highlighted from the survey results. Some of these findings relate to the content of tasks, while others are about their importance in terms of frequency.

Firstly, the survey confirmed the findings of the interview analysis on the type of tasks EP staff do. Respondents reported that they performed nine out of the thirteen tasks frequently or very frequently (see Figure 9.1). The fact that more than half of all the tasks are (very) frequent activities was expected, as survey response options were designed based on the exploratory interview study (see Section 4.1.1.1).

Secondly, both preliminary interviews and survey data show that tasks are diverse (see also Egeberg et al., 2013, p. 504). Rare are the activities for which respondents say they are not (very) frequent working assignments. This means that legislative staffers do a variety of legislative tasks for members and that their jobs are anything but monotonous. The activities range from more traditional legislative tasks of writing amendments to activities, which relate to the running of the parliament, such as organising meetings. The diversity and multiplicity of tasks in which staff are involved is confirmed also by staff's impressions. For instance, an administrator in the secretariat observed (Interview B, 2012):

There is no such a thing as a normal working day in the EP. My working day can be quite different depending whether it is plenary week, committee week, whether it is the week foreseen for constituency work or for outside delegation travel. I think my work involves a lot of content related work, drafting documents for the committee, but also drafting all kind of official letters, authorisations, forward planning for hearings and committee delegations.

Michael Contes, a parliamentary assistant who has worked for four different MEPs since he started to work in the EP in 1991, shared a similar impression (Interview P, 2013):

You never have exactly the same day. We have of course the same things coming back at a certain point, but it is never the same. There is a certain rhythm of meetings, which are then causing contacts and clearly other meetings out of them, preparation meetings. All these things are coming back, but it is never the same.

Thirdly, data from the survey shows which tasks are the most or least important in terms of frequency. In general, it seems that the work of legislative staff in the EP consists mostly of attending meetings and providing advice either on procedures or policy; while providing legal counsel is the least common task (see Figure 9.1). That a high number of respondents feel they spend a significant part of their workdays in meetings is expected given the nature of the work in parliament, which is based on an exchange of ideas, information and discussions among politicians, business and civil society and other interest groups. A secretariat official noted the following about meetings with the European Commission (Interview B, 2012):

I think these meeting are very useful, but we are let's say a bit strain on our capacities to attend all of these meetings that we are invited to. But we are at least trying to be there for the meetings that we consider most important. You know if we attended all of these working group meetings then we would probably spend several hours each of us in some of the meetings every week, which is not always possible.

Besides attending meetings, it is very common for staff to provide procedural guidance in the case of secretariat officials, and to offer voting and policy advice in the case of political group advisors (see also Egeberg et al., 2013, p. 504) and accredited parliamentary assistants.

#### 9.4.2 Scale Definition

The purpose of the principal component analysis is to identify a cluster of items with a substantive sense. In this study the cluster consists of tasks in Factor 1: offering political or voting advice, contributing to policy ideas, preparing amendments and reports,

participating in negotiations with political groups, coordinating MEPs' positions and preparing of voting lists. These tasks were then computed into the scale variable of legislative assistance.

**Technique** The principal component analysis identifies clusters of tasks, which are most commonly performed together. Hence, the variable that has been constructed from PCA's results rates high those staffers who repeatedly execute the range of tasks in Factor 1. On the contrary, staffers who frequently execute a unique combination of tasks are rated low. Therefore, the scale variable discerns a prototype of staff that perform a combination of tasks very frequently. Based on the correlation technique underlying PCA, which discover association between tasks, one could claim that the scale variable points out the profile of generalist staffer. However, the definition of the scale variable can only be discerned if we look at the meaning of each task separately. Therefore, the next step to define the scale variable is to ask how the seven tasks that were identified in Factor 1, relate to legislation or legislative assistance.

**Meaning** Two of the most weighted tasks in the scale of legislative assistance relate to assistance for drafting reports and amendments (Items 6 and 7). Reports and amendments are formal instruments through which legislation is prepared. In order to prepare these documents MEPs can turn to a series of actors for policy ideas, including staff (Item 4). The content of reports and amendments has to be coordinated between MEPs and negotiated among political groups (Items 10 and 8). In this respect, staff assist negotiations on technical and political matters (Marshall, 2012). On technical issues agreements might even be sealed already at the administrative level (i.e. secretary generals, deputies, etc.). Finally, before any vote takes place, a voting list has to be drawn (Item 11). Political advisors assist the coordinators of individual political groups in deciding the line that political groups will take. APAs are less involved in drawing up voting lists and they mainly review the voting lists prepared by the political groups and highlight votes, where an MEP might be in conflict with the political line of the group. Secretariat administrators participate in preparation of the voting lists, where they determine the order of the votes and take decisions on split votes.

What does not transpire from results is equally important for defining legislative assistance as the tasks that cluster on Factor 1. The presented definition of legislative assistance does not include supporting tasks, such as organising activities or following meetings and research. Even though parliament cannot exist without these activities, they are not necessarily carried out by the same staff, which draft reports, amendments, etc. Factor 1 does not include support in inter-institutional negotiations (Item 9). The fact that negotiations with the EU institutions do not cluster of Factor 1 is surprising. One would expect that MEPs and political groups use their administrative resources to target resource deficit vis-à-vis the Commission and the Council.

Several reasons could explain why legislative assistance as the scale variable does not include support in inter-institutions relations. It might be that MEPs are reluctant to rely

on staff in negotiations for fear of unwanted information disclosure, as the latter could hamper the success of talks. However, the qualitative data of this study and previous research show that staff are involved in inter-institutional negotiations (Egeberg et al., 2014a). The PCA results could also mean that support in inter-institutional negotiations is a specialist task. For example, it might be that staff in high offices are the ones who assist in negotiations with the Commission and Council. As it will be shown in the next chapter this is not case. Based on the survey data there is no significant statistical indication that high-standing officials more frequently assist MEPs in inter-institutional talks than low-standing staff.

The exclusion of Item 9 from the scale could also be due to the fact that in general inter-institutional negotiations do not rank as high as other activities in the EP. In other words, how frequent and how long are inter-institutional negotiations? The frequency and length of inter-institutional negotiations can impact the possibility of staff to support politicians in negotiations. Scholarly literature shows that inter-institutional negotiations are becoming increasingly opaque in the EU. Since 2006, the EU has concluded a majority of legislative files with the so-called early agreement procedure (Héritier and Reh, 2012, p. 1138). In early agreement procedures a legislative dossier is agreed through informal negotiations either in the first reading or early in the second reading. When legislation is fast-tracked negotiations proceed opaquely and naturally too rapidly for multiple actors to be involved. This is another possible reason why inter-institutional negotiations do not cluster on Factor 1.

Overall, it seems that defining legislative assistance in terms of the seven tasks in Factor 1, targets the role of staff in terms of preparing a common position in the house. Therefore, what is actually measured can be interpreted as the extent legislative staff in the EP are involved in the preparation of a common position before a formal vote takes place. In other words, Factor 1 defines legislative assistance as the ensemble of tasks through which legislation is prepared, negotiated among political groups or MEPs and subsequently voted upon in committees or the plenary prior to the start of inter-institutional negotiations.

## 9.5 Conclusion

This chapter has provided a quantitative measure for legislative assistance as a type of behaviour. The main difficulty in defining legislative assistance is the scarce literature. Selecting indicators is risky without in-depth knowledge and firmly grounded theory. The quantitative measurement had to be developed almost from nothing. For this reason, a preliminary study consisting of interviews was carried out. On this basis, several indicators pertaining to the concept of legislative assistance were identified. Each of these indicators describes a task that legislative staff perform. However, individual tasks were deemed insufficient for accurately measuring legislative assistance. Measures, which are based on individual tasks, can be biased when comparing different groups of people. In addition, legislative assistance is a subjective concept, which is better to measure with more than one

indicator. For these reasons, the individual tasks were scrutinised for an underlying pattern and a scale was built. The scale does not only provide a reliable measure, but it also reduces data and thus facilitates the generalisation of the observed phenomenon. Ultimately, the scale helps to acquire a more detailed understanding of legislative assistance as a type of behaviour. The scale defines legislative assistance as the preparation of a common position before a formal vote takes place in the EP. In the subsequent chapter this definition is employed in regression analysis. For the sake of simplicity the text refers to the scale as legislative assistance without further specifying the interpretation.



## Chapter 10

# Does Organisation Matter?

This chapter provides the analysis and findings of the empirical equation set up and operationalised in Chapters 8 and 9. On the basis of cross-tabulation and regression techniques, the chapter provides evidence in support of Hypothesis 4, which stipulates that organisational structures are the main drivers of legislative staff's behaviour in the EP:

H4: The organisational structure of legislative assistance affects the behaviour of legislative staff.

Chapter 8 has identified five components of the organisational structure in the EP: job rank, administrative affiliation, functional specialisation, policy specialisation and political specialisation. A hypothesis has been put forward for each of the components or organisational structures (for a summary see Table 10.1).

To provide evidence for the hypotheses, the chapter is structured as follows: Section 10.1 presents cross-tabulation results and Section 10.2 reviews the five sub-hypotheses based on regression analysis. At first a series of reduced form regressions are performed to assess individually the components of the organisational structure in the EP without the control variables (Section 10.2.1). Second, the full model consisting of the five organisational structures and the control variables is regressed (Section 10.2.2). Throughout the texts 'base cases' are often referred to for explaining regression results. A base case is an

Table 10.1: Sub-Hypotheses

H4a	Involvement in legislative assistance increases with the job rank.
H4b	Administrators employed in the general secretariat are involved more frequently in legislative assistance than the political advisors working for political groups and accredited parliamentary assistants.
H4c	Staff who follow the work of at least one committee are involved more frequently in legislative assistance than staff who do not follow the work of committees.
H4d	Individuals working on economic and scientific policy are involved more frequently in legislative assistance than others.
H4e	The involvement of staff in legislative assistance depends on the political group staff work for.

arbitrarily selected value of an independent dummy variable. It serves as a benchmark to observe the relative difference between two cases (i.e. the base case and the dummy relative to the base case) on the dependent variable.

## 10.1 Task Variation

Cross-tabulation was carried out in order to investigate the co-variation of tasks given organisational structures (see Section 4.2.1.1). Table 10.2 provides an overview of all those relationships for which data indicated a statistical significance at least at ten per cent.<sup>1</sup> The dividing lines in the table separate organisational structures from variables measuring demography and institutionalisation. This representation is an attempt to show how organisational structures influence tasks to a greater extent than the latter two. While 19 out of 29 relationships between individual tasks and organisational structures are statistically significant at the one per cent level, this is the case only for 13 out of 41 relationships for demography and zero for institutionalisation.<sup>2</sup> In the upper part of Table 10.2 there are only five relationships significant at ten per cent, while in the lower part there are 13 such relationships. The statistical importance of organisational structures over demography and institutionalisation is confirmed also in relative terms.<sup>3</sup> Table 10.2 also shows that tasks vary mostly with the functional specialisation (i.e. whether staff follow the work of a committee) and administrative affiliation (i.e. secretariat administrators, political advisors or APAs). Out of thirteen tasks, twelve and ten tasks vary with the functional specialisation and administrative affiliation respectively.

**Amendments** The most co-variation is recorded for drafting amendments, which is a (very) frequent activity for 65 per cent of all the staff. APAs, staff following the work of at least one committee, those with experience in the private sector and females are more likely to draft amendments than others. The finding on the APAs is confirmed also by Corbett et al. (2007, p. 134) and more generally by the interviewees in this study. The results have to be interpreted with caution. While APAs are the ones to draft the greatest number of amendments, political group advisors and administrators in the general secretariat perform other functions in drafting amendments, which are not related to the number of amendments or writing frequency. Political advisors are the ones that identify compromise within and among the political groups and they are responsible to draft compromise amendments

<sup>1</sup>The method is described on page 66.

<sup>2</sup>Including a greater number of demography indicators could deflate the importance of organisational structures. In order to avoid this, I compared the same number of demography and organisational structures indicators, where only the best performing demography characteristics were included. The results confirm the importance of organisational variables over demography ones.

<sup>3</sup>The relative importance of organisational (*Organisational*), demography (*Demography*) and institutionalisation (*Institutionalisation*) variables is calculated with an index, where the number of significant relationships ( $N_{sig.r.}$ ) was divided by the number of independent variables measuring organisational structures, demography or institutionalisation ( $N_{var.}$ ). The lower the index, the less statistically important was a variable:  $Index = N_{sig.r.}/N_{var.}$ .  $Organisational = 29/5 = 5.08$ ,  $Demography = 41/10 = 4.10$ ,  $Institutionalisation = 3/3 = 1.00$ .

Table 10.2: Cross-tabulation (Chi-Square Statistic)

Variables	Vote Advice	Amendments	Inter-neg.	Intra-neg.	Organise	Policy ideas	Voting list	Research advice	Legal advice	Procedure Advice	Coor. MEPs	Reports	Attend meetings	$\Sigma$
Organisational structures														
Functional s.	0.01 S	0.01 S	0.05 W	0.01 M	0.01 M	0.01 M	0.01 S	0.10 W	0.01 S	0.01 S	0.01 S	0.01 S	0.01 M	12
Administra. s.	0.01 S	0.01 M	0.05 W	0.01 M	0.01 W	0.10 W	0.01 M	0.01 M	0.05 W	0.05 W	0.01 M	0.01 M	0.05 W	11
Policy s.					0.05 W	0.01 M					0.10 W			3
Grade		0.10 W -					0.10 W -							2
Political s.					0.01 M									1
Demography														
Education/Level	0.10 W -	0.01 M -		0.10 W -			0.10 W -		0.05 W +	0.01 W -	0.05 W -			7
Party membership	0.01 M		0.10 W	0.01 M	0.05 W	0.10 W		0.05 W		0.10 W				7
Gender		0.05 W			0.05 W	0.05 M		0.05 W					0.01 M	5
Age	0.01 M -	0.05 W -					0.10 W -	0.01 W -			0.05 W -			5
Experience		0.01 W -	0.10 W +	0.10 W +				0.01 W -		0.10 W +				5
Empl. pol. party				0.05 M						0.10 M	0.10 M	0.05 M		4
Prior exp. EP		0.05 W						0.05 W		0.01 M				3
Education/Area					0.01 M				0.01 M					2
Geo. Region	0.05 W				0.10 W									2
Enlargement	0.01 W													1
Institutionalisation														
Attitude 1									0.10 W +					1
Attitude 2										0.05 W +				1
Attitude 3											0.05 W -			1
$\Sigma$	7	9	4	6	8	5	5	6	4	8	8	2	3	

Legend: 0.01, 0.05 or 0.10 indicate the level of significance; +/− indicates the positive or negative form of the relationship. For nominal variables Cramér's  $V$  statistic is used: Weak (W),  $0.05 \leq V \leq 0.20$ ; Moderate (M),  $0.20 < V < 0.40$ ; Strong (S),  $V \geq 0.40$ . For ordinal variables Kendall's  $\tau_b$  statistic is used: W,  $0.05 \leq \text{abs}(\tau_b) \leq 0.20$ ; M,  $0.20 < \text{abs}(\tau_b) < 0.40$ ; S,  $\text{abs}(\tau_b) \geq 0.40$  (see also page 66).

(Interview A, 2012; Interview K, 2012). Administrators in the secretariat have to check the legal aspects of amendments in order that when transformed into law, the law will not be challenged in the Court of Justice (Interview F, 2012; Interview Y, 2013). Finally, high-ranking staff and staff with a doctoral degree are less likely to draft amendments.

**Reports** Contrary to drafting amendments, which co-vary on nine different independent variables, drafting reports is the activity that co-varies the least. Only staff following the work of a committee and those with a past experience working for a political party are more likely to (very) frequently draft reports than others. Existing literature suggests that administrative affiliation plays a role in how frequent staff draft reports (Corbett et al., 2007, pp. 68, 134). Secretariat officials are described to have a leading role in drafting reports, while APAs are said to draft reports only in exceptional cases (Camenen, 1995; Perez, 2007). The data collected for this study indicates mixed support for this claim. When controlling for administrative affiliations, secretariat administrators report similar frequencies in drafting reports to political advisors and APAs. However, differences are detected when considering the interaction effect between staff following a committee and administrative affiliation. In such case, the committee staff of the central secretariat (65 per cent) are more likely to draft reports than political group advisors (40 per cent) and APAs (36 per cent). Even though the secretariat officials of committees are the ones to draft reports the most frequently, the data sheds doubt on whether the involvement of political group advisors and APAs is rare.

**Providing Advice** Three types of advice were investigated: advice on legal issues, advice on procedures and advising on the vote. Legal advice, which is the least frequent activity among staff, co-varies with the level and area of education, where a doctorate or degrees in law are advantages.<sup>4</sup> That education does play a role in determining the behaviour of staff is corroborated in Egeberg et al. (2014b). Given the traditional role of the general secretariat in providing legal support, it was expected that data would show a result in favour to their role. However, this was not the case. Only when accounting separately for secretariat administrators, which work in the Legal Service, this turned out to be the case. Unsurprisingly, all officials working in the Legal Service reported to frequently provide legal support, while only one third of committee and research staff said so. Except for legal advice, providing advice on other issues - either on procedures or on the vote - is a frequent activity for staff in general. Both tasks co-vary with the functional specialisation, administrative affiliation, level of education and party membership.

Advising on procedures is more frequent for political advisors and secretariat administrators than APAs (i.e. more than half of political advisors and administrators reported to provide advice on procedures, while only one quarter of APAs). This is not surprising, since the likelihood for providing advice on procedures increases with the working

<sup>4</sup>Providing legal advice varies on a 10 per cent level also given the functional specialisation. The differences are small.

tenure and working experience on different positions within the EP. On both variables, political advisors and secretariat administrators have a more favourable score than APAs.<sup>5</sup> This relationship becomes even clearer when controlling for committee staff. Data in fact shows that secretariat administrators in committees (87 per cent) are more likely to provide procedural advice than political group advisors (78 per cent) and APAs (71 per cent).<sup>6</sup>

While administrators in the secretariat are used to advise on procedures, this is not the case for advising on the vote. Only one third of administrators reported to advise MEPs on the vote, while more than ninety per cent of political advisors and two thirds of APAs reported to do so. These results are very similar to the ones presented by Egeberg et al. (2013) and Winzen (2011, p. 38). In addition, the results presented here show that the likelihood to provide advice on a vote increases when staff are members of a political party. Giving advice on the vote is the only activity that co-varies with the citizenship of staff, i.e. staff with citizenship of one of the countries that joined the EU before 2004 reported to give advice on the position to take more frequently than others.

Besides this, it has to be said that on a general level citizenship does not affect many activities in the EP, which is in line with the results in Egeberg et al. (2014b). Finally, advising on procedures and legal issues co-vary with attitudinal variables measuring institutionalisation. Staff showing positive attitudes towards serving the European public interest are more frequently involved in advising on procedures and legal issues.

**Preparing Voting Lists** A closely connected activity to advising on the vote is the preparation of voting lists. Preparing voting lists includes two basic duties: positioning amendments in a logical order and providing voting indications. The former can be considered a procedural task and as such it is likely to be carried out by secretariat officials. Many interviewees observed that the order of voting items is not always obvious and that it sometimes requires a personal judgment (Interview F, 2012; Interview L, 2012). When this is the case positioning amendments is considered a policy-influencing activity (Marshall, 2012). Providing indications on the vote is the activity where the coordinators and political group advisors draw pluses or minuses on voting lists. Political groups do this to show MEPs what is the leadership's desirable course of action. Preparing voting lists is not one of APAs' direct responsibilities (Interview Y, 2013).

The results show that staff following the work of committees and political advisors are more likely to assist in the preparation of voting lists than others. Among all the political advisors 84 per cent reported to (very) frequently prepare voting lists, while 61 per cent of APAs and 51 per cent of secretariat administrators did so. Almost three thirds of staff that follow committees reported to be (very) frequently involved in preparing voting lists,

<sup>5</sup>The average working tenure for political advisors and administrators is over nine years compared to four years for APAs. More than half of political advisors and administrators reported that in the past they have had another job position within the EP, while only a quarter of APAs has had a prior working experience in the EP before becoming an assistant.

<sup>6</sup>This relationship is not summarised in Table 10.2:  $\chi^2(2, N = 303) = 11.13, p < 0.05$ .

while only one tenth of other staff.

As in the case of procedural advice, an interaction effect between the administrative affiliation and functional specialisation shows that the difference between political group advisors and secretariat administrators are small.<sup>7</sup> Ninety and 84 per cent of political advisors and secretariat administrators that follow the work of at least one committee reported to (very) frequently prepare voting lists.<sup>8</sup> Since both, secretariat officials and political group advisors, are involved in the preparation of voting lists, it is not surprising that there is little difference between the two. While political advisors draw up voting lists for MEPs on the basis of their political superiors decisions (Clark and Priestley, 2012, p. 37), secretariat administrators have most expertise to decide for example on split amendments (i.e. separate votes on different parts of an amendment) (Rule 161 of the Rules of Procedure 2013; Clark and Priestley, 2012, p. 213). More unexpected is the high score of APAs (61 per cent of APAs reported to frequently prepare voting lists). It might be plausible to assume that APAs compare the preferences of political groups to the own preference of their MEP. And where there is divergence between the two, they can advise the MEP how to vote (Interview M, 2012).

**Negotiations** In the survey respondents were asked how frequently they participated in the coordination of MEPs' positions in the negotiations between different political groups (i.e. intra-institutional negotiations), and with other EU institutions (i.e. inter-institutional negotiations). The results show that those individuals who frequently coordinate the positions among MEPs are also more likely to participate in intra- and inter-institutional negotiations (see Table A.2). Egeberg et al. (2013, p. 504) have observed the same pattern. Negotiations with either political groups or EU institutions and coordinating the position of different MEPs vary alongside similar variables. For example, committee staff and political advisors assist in negotiations and coordinate MEPs' positions more frequently than non-committee staff, APAs and secretariat administrators. The differences are more pronounced for intra-institutional negotiations than inter-institutional negotiations. This can be explained by the fact that in general almost half of the respondents reported to be involved in negotiations between political groups, while less than one third reported to be involved in negotiations with other EU institutions. A similar pattern is in part confirmed by Egeberg et al. (2013; 2014), who investigated day-to-day contacts. They did not find any difference in how often political group advisors and secretariat officials meet with officials working for the Commission's directorate-generals, the general secretariat of the Commission and the Presidency of the Council. They did however find that, while political group advisors are more likely to be in contact with Commissioners and their cabinets, EP secretariat officials are more likely to be in contact with the Council's general secretariat. Moreover, political advisors in the EP will have more contacts with the Commissioners with whom they share political affiliation, while EP secretariat officials are more likely

<sup>7</sup>The interaction was tested by recoding two variables into one and then using the  $\chi^2$  statistic.

<sup>8</sup>This relationship is not summarised in Table 10.2:  $\chi^2(2, N = 304) = 26.05, p < 0.01$ .

to be in contact with similarly organised units of the Council secretariat (Egeberg et al., 2014a).

In general, the frequency of involvement in negotiations and coordination of MEPs' positions increases with the years spent working in the EP. In addition, staff that are members of a political party are more likely to be involved in negotiations with political groups; while staff that are not members of a political party are more likely to be involved in inter-institutional negotiations. Prior employment in a political party is supposed to enhance staff's opportunity to assist in negotiations between political groups, while it does not have an effect on inter-institutional negotiations. Policy specialisation does not affect negotiations, but it does have an influence on the coordination of MEPs' positions: staff working in economic and scientific affairs are more likely to assist in the coordination of positions between MEPs.

**Research** Over the years the central administration of the EP has enhanced its research capacity (Chapter 5). In spite of this, administrators are not the most important research resource for MEPs. According to the survey responses, almost 90 per cent of all the APAs perform research very frequently, followed by secretariat officials (69 per cent) and political group advisors (59 per cent). This makes APAs the most important human resources for conducting research. Moreover, accounting for those secretariat administrators that work in research units (i.e. policy departments) does not change the result in a statistically significant way: committee staff and policy department staff in the secretariat are equally involved in research.<sup>9</sup> While the EP secretariat managed to streamline its legal support to MEPs, this has not happened for research yet.

It has to be considered that the survey was carried out in spring 2013, before the reform of the research services and the establishment of DG EPRS in autumn 2013. There has been no study yet on whether the new organisation has changed the research capacity of the secretariat. One of the reforms targeted the research support for individual MEPs, which might decrease the importance of APAs' research assistance. This might enable APAs to do more political work in the future. In addition, research varies given the gender and prior experience in the EP, i.e. while females are more likely to do research compared to men, staff with prior experience in the EP (i.e. internal mobility within the EP) are less likely to perform research than those with only one experience in the EP.

**Policy Ideas** Contributing to policy ideas co-varies with functional specialisation, policy specialisation and gender.<sup>10</sup> Results show that 73 per cent of the staff following the work of at least one committee report to very (frequently) contribute to policy ideas compared to half of the staff that reported to not follow the work of committees. In term of administrative affiliation, political advisors and APAs (72 per cent) report in greater numbers to

<sup>9</sup>This relationship is not summarised in Table 10.2:  $\chi^2(1, N = 115) = 3.92$ ,  $p > 0.10$ .

<sup>10</sup>Differences are recorded also for administrative affiliation and party membership, but in both cases the relationships are weak and significant only at the 10 per cent level.

(very) frequently contribute to policy ideas than secretariat administrators (61 per cent). Compared to providing advice on procedures and preparing voting lists, this result does not change when testing for the interaction effect between functional and administrative affiliation: general secretariat administrators, APAs and political advisors, which reported to follow the work of at least one committee, contribute to policy ideas as much as their counterparts.<sup>11</sup>

**Organising Activities** Organising activities for members of parliament tends to comprise the work of secretariat officials (66 per cent), and especially those who are engaged in committees (84 per cent), and APAs (74 per cent) compared to political advisors (59 per cent). Attending meetings, which is the most frequent activity for legislative staff, co-varies with staff's functional specialisation, administrative affiliation and gender: committee staff (80 per cent), political advisors and APAs (both more than 80 per cent) and women (88 per cent) are more likely to report that they (very) frequently attend meetings compared to non-committee staff (65 per cent), administrators (less than 70 per cent) and men (71 per cent).

## 10.2 Scale Variation

The findings presented until now show that: 1) legislative staff in the EP are involved in several different tasks; 2) some of these tasks are more frequent than others; and 3) that there are some differences among staff in how often they perform individual tasks. This section presents the results of regression analysis, where the effects of organisational structures are controlled for on the scale of legislative assistance. The test is based on Equation 8.1, which is explained in Chapter 8 and repeated here:

$$\text{legislative assistance} = \beta_0 + \beta_1 * \text{org. structures} + \beta_2 * \text{control variables} + u \quad (8.1)$$

### 10.2.1 Reduced Form Regression

**Hypothesis 4a** This hypothesis states that individuals in high-ranking positions are more likely to be involved in legislative assistance than individuals in low-ranking positions. The  $\chi^2$  tests presented in Section 10.1 show that the position in the hierarchy rarely matters when carrying out the tasks of legislative assistance. A similar finding is obtained on the scale measuring legislative assistance: rank does not have any effect on how frequent staff are involved in legislative assistance (see Table 10.3, Model 1; the base case are high-ranking staff). Therefore, based on the results in the reduced form regression, data does not support H4a. This could mean that staff in different ranking positions can do the same tasks. Examples of the non-hierarchic nature of the work in the EP are negotiations: while high-ranking officials negotiate the main political direction of legislation, low-ranking officials

<sup>11</sup>This relationship is not summarised in Table 10.3:  $\chi^2 (2, N = 305) = 0.79$ ,  $p$  is not significant.



negotiate the details (Interview ZA, 2013; Interview ZD, 2013). However, the regression of the full model shows different results.

**Hypothesis 4b** Given previous research, it is assumed that administrators employed in the secretariat are more likely to be involved in legislative assistance than political advisors working for political groups and accredited parliamentary assistants. Section 10.1 showed that eleven tasks co-vary with administrative affiliation. Regression analysis also shows a highly statistically significant result for administrative affiliation as a predictor for assisting MEPs in legislation (see Table 10.3, Model 2, the base case are secretariat administrators). Model 2 in Table 10.3 explains 16.5 per cent of the variation. However, results do not provide support for H4b. In fact, both political advisors and accredited assistants, score higher on the scale, which means that they are more frequently involved in legislative assistance than secretariat administrators.

Model 3 in Table 10.3 shows a similar regression to Model 2. The difference is that the base case are secretariat administrators that work in committee secretariats rather than secretariat administrators in general (i.e. including those that work in legal affairs, policy departments, delegation secretariats, etc.) When taking into account only those secretariat administrators that work in committee secretariats, and exclude the administrators working in research, legal and other sectors, results change. Only political advisors score on average higher on the scale of legislative assistance than the administrators in committee secretariats. There is no difference between APAs and the administrators in committee secretariats. Therefore, the results in Model 3 provide partial support for H4b: while administrative affiliation has an effect on the involvement of staff in legislative assistance, being a secretariat official in a committee secretariat does not have a significant effect compared to APAs, while it has a negative statistically significant effect compared to being a political advisor. On average, political advisors score 0.42 higher on the scale of legislative assistance than secretariat officials in committee secretariats. Overall, these findings are not in line with the assumption that committee staff, and in particular committee secretariat staff, are the central administrative actors in legislative assistance.

**Hypothesis 4c** Model 3 in Table 10.3, which shows that working in a committee secretariat increases the likelihood in assisting MEPs in legislation forecasts the finding on H4c. In fact, all staff that reported to follow the work of at least one committee (independently on whether they are administrators in a committee secretariat) score higher on the scale of legislative assistance than those that are not involved in committees (see Table 10.3, Model 4). Therefore, there is support in favour of H4c. In addition, Model 3 in Table 10.3 explains 27.6 per cent of the variation in legislative assistance. Administrative affiliation and functional specialisation are the only two variables where a relatively large part of the variation in legislative assistance is explained.

**Hypothesis 4d** This hypothesis assumes that individuals working on economic and scientific policy, where the ordinary legislative procedure is the most frequently applied, are likely to be involved in legislative assistance more frequently than others. The previous section showed that policy specialisation affects three tasks: the frequency to organise activities for MEPs, the contribution to policy ideas and the coordination of MEPs' positions. Regression analysis shows that on the scale of legislative assistance, those working in economic affairs score higher than those working in budgetary affairs, citizens' rights and foreign policy (see Table 10.3, Model 5; the base case is staff working in economic and scientific affairs). The result provides partial support for H4d, because staff working in structural and cohesion affairs are not more or less involved in legislative assistance than those working in economic affairs. The finding is at odds with research on policy proposals (Dobbels and Neuhold, 2013; Neuhold and Dobbels, 2014) and committee cases (Winzen, 2011).

**Hypothesis 4e** This hypothesis assumed that the political group staff work for (i.e. political specialisation) affects their involvement in legislative assistance. The political specialisation can be controlled for only in the case of staff that occupy the job of political advisors and accredited assistants.<sup>12</sup> Administrators working in the secretariat are not organised according to the political specialisation or the political affiliation of MEPs. First, I tested for the left/centre/right dimension (see Table 10.3, Model 6; the case are staff working for centre political groups and MEPs, i.e. ALDE, S&D and EPP). Second, I tested for political specialisations according to political groups in the EP (i.e. EPP, S&D, ALDE and Greens/EFA).<sup>13</sup> The left/centre/right dimension does not affect the way staff assists MEPs. There is an effect of political specialisation when individual affiliations are accounted for (see Table 10.3, Model 7; the base case are staff working for the EPP political group or MEPs). Given the results, staff working for ALDE and S&D score higher on the variable of legislative assistance than EPP staff. Hence, EPP staff are less involved in legislative assistance than ALDE and S&D staff.

### Control Variables

Scholars emphasising the instrumental nature of organisation, do not study whether demography or institutional values affect behaviour. As described on page 55 there is a branch in organisation theory that focuses on how informal structures, such as demography and institutional values affect behaviour in organisation (e.g. Lawrence 1997; Pfeffer 1983; Vandenabeele and Ban 2009). These studies show that informal structures can have an effect on how people behave in an organisation. In order to clarify the importance of demography and institutional values in the EP, reduced regressions were conducted on the control variables that were presented in Section 8.3. The results show that among demography variables the area of education, age, membership in a political party and prior working experience for a political party have an effect on the involvement in legislative

<sup>12</sup>For this reason this variables is not included in subsequent regressions.

<sup>13</sup>There were not enough observation to account for other political groups.

Table 10.3: Reduced Regression: Organisational Structures

VARIABLES	(1) lega	(2) lega	(3) lega	(4) lega	(5) lega	(6) lega	(7) lega
Middle grade	0.185 (0.172)						
Low grade	0.0562 (0.169)						
Advisor		1.017*** (0.150)					
Assistant		0.751*** (0.113)					
Advisor committee			0.421*** (0.147)				
Assistant committee			0.155 (0.108)				
Committee				1.461*** (0.140)			
Structural a.					-0.178 (0.164)		
Citizen a.					-0.328** (0.148)		
Budgetary a.					-0.488** (0.196)		
Foreign a.					-0.280* (0.151)		
Right						-0.0107 (0.199)	
Left						0.0597 (0.142)	
S&D							0.287* (0.150)
ALDE							0.432** (0.178)
Greens							0.193 (0.175)
Other g.							0.179 (0.167)
Constant	-0.0933 (0.130)	-0.524*** (0.0954)	0.0716 (0.0901)	-1.187*** (0.132)	0.375*** (0.0908)	0.307*** (0.0671)	0.108 (0.104)
Observations	229	354	304	343	278	222	230
R-squared	0.006	0.165	0.030	0.276	0.033	0.001	0.030

Robust standard errors in parentheses

\*\*\* p&lt;0.01, \*\* p&lt;0.05, \* p&lt;0.1

assistance (Table 10.4).<sup>14</sup> Except for age (Model 1), all the other variables have a positive effect. A degree in social sciences favours staff's involvement in legislative assistance compared to a law degree (Model 5; the base case are staff with a law degree). Being a member of a political party (Model 7) or having previously worked for one (Model 8) increases staff's score on the scale of legislative assistance. The level of education, experience, citizenship (i.e. either measured on south/north/west/east dimension or on the old/new members states dimension) and attitudinal variables pertaining to institutionalisation do not have an effect on legislative assistance (Models 2, 4, 6-7, 9-12). While Egeberg et al. (2013) showed that experience is a statistically significant variable, no such evidence is found here. This could indicate that the behaviour of staff in the EP does not depend on organisational socialisation.

### 10.2.2 Regression of the Full Model

The reduced form regressions showed that, except for the rank, all the organisational structures influence the involvement of staff in legislative assistance independently. This section is about estimating the effect of all organisational structures together and given a set of control variables. At first, all the variables measuring organisational structures except political affiliation are included in one regression model. The results in Table 10.5, Model 1 indicate that organisational structures determine legislative assistance in a statistically significant way. Even rank, which in the reduced regression model did not show to have an effect, is now significant. Levels of significance for individual variables are sometimes lower compared to Table 10.3. Both variations might be due to the reduced number of observations resulting from combining multiple variables in a single model.

The remainder of the results presents the effect of organisational structures while controlling for institutionalisation (Table 10.5, Models 2-5) and demography (Tables 10.6 and 10.7). Table 10.6 controls for each category of demography separately, while Table 10.7 presents several models where different demography variables are combined. Models 1 and 2 in Table 10.7 control citizenship with two different measurements (i.e. south/north/west/east and new/old member states). Models 3-5 in Table 10.7 exclude the demographic variables, which did not show a statistically significant effect in previous regressions. Since citizenship and the level of education are not a statistically significant variables in Models 1 or 2 in Table 10.7, Model 3 excludes them, but retains the area of education, which is significant. A similar logic of exclusion is then applied in Models 4 and 5 in Table 10.7 to observe how robust are the results on the level of education and party affiliation. None of these two variables is statistically significant. Based on the coefficient's level of statistical significance and their robustness, the most important model of the study is Model 3 in Table 10.7.

**Controlling for Institutionalisation** When controlling for institutionalisation (Table 10.5, Models 2-5) neither levels of significance nor coefficients change substantially. There-

<sup>14</sup>The variables indicating whether someone had previously worked for a political party does not contain enough observations for it to be included in subsequent regression analysis.

Table 10.4: Controlling for Demography and Institutionalisation

VARIABLES	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
	lega	lega	lega	lega	lega	lega	lega	lega	lega	lega	lega	lega
Age	-0.0143** (0.00592)											
Experience		-0.00548 (0.00913)										
Male			-0.128 (0.113)									
MA&PhD				-0.106 (0.144)								
Economics					0.213 (0.207)							
Soc. sci.					0.394** (0.176)							
Arts					0.228 (0.225)							
Other educ.					0.397 (0.366)							
South						-0.112 (0.153)						
North						0.141 (0.142)						
West						-0.0905 (0.136)						
Old MS							0.126 (0.142)					
Party aff.								0.293*** (0.108)				
Party exp.									0.548*** (0.200)			
Attitude 1										-0.0499 (0.107)		
Attitude 2											0.182 (0.132)	
Attitude 3												-0.0791 (0.0708)
Constant	0.560** (0.222)	0.0592 (0.0732)	0.0837 (0.0867)	0.114 (0.131)	-0.253* (0.139)	0.0580 (0.0941)	-0.0857 (0.126)	-0.0929 (0.0748)	-0.218* (0.113)	0.162 (0.298)	-0.497 (0.377)	0.191 (0.156)
Observations	303	333	312	330	232	354	291	310	106	334	332	328
R-squared	0.020	0.001	0.004	0.001	0.025	0.009	0.003	0.022	0.067	0.001	0.005	0.004

Robust standard errors in parentheses

\*\*\* p&lt;0.01, \*\* p&lt;0.05, \* p&lt;0.1

fore, controlling for institutionalisation does not in any way mitigate the effect of organisational structures. Since institutionalisation does not have a statistically significant effect neither when measured separately nor when measured together with organisational structures, it is not included in subsequent regressions.

Table 10.5: Institutionalisation

VARIABLES	(1) lega	(2) lega	(3) lega	(4) lega	(5) lega
Middle g.	-0.108 (0.140)	-0.100 (0.141)	-0.0990 (0.145)	-0.106 (0.143)	-0.104 (0.146)
Low g.	-0.311** (0.141)	-0.303** (0.144)	-0.298** (0.144)	-0.320** (0.144)	-0.314** (0.147)
Advisor	0.937*** (0.143)	0.928*** (0.146)	0.915*** (0.148)	0.943*** (0.150)	0.929*** (0.154)
Assistant	0.0689 (0.131)	0.0724 (0.131)	0.0540 (0.135)	0.0795 (0.134)	0.0638 (0.139)
Committee	1.455*** (0.197)	1.448*** (0.201)	1.464*** (0.211)	1.428*** (0.204)	1.432*** (0.217)
Structural a.	-0.102 (0.161)	-0.100 (0.164)	-0.111 (0.164)	-0.105 (0.163)	-0.112 (0.168)
Citizens a.	-0.230* (0.136)	-0.232* (0.136)	-0.229 (0.140)	-0.227 (0.137)	-0.232 (0.141)
Budgetary a.	-0.470*** (0.174)	-0.470*** (0.174)	-0.479*** (0.174)	-0.477*** (0.181)	-0.489*** (0.183)
Foreign a.	-0.143 (0.151)	-0.149 (0.153)	-0.161 (0.157)	-0.180 (0.155)	-0.193 (0.159)
Attitude 1		0.0186 (0.107)			0.0264 (0.114)
Attitude 2			-0.0168 (0.142)		-0.00364 (0.163)
Attitude 3				-0.0326 (0.0678)	-0.0439 (0.0737)
Constant	-1.010*** (0.210)	-1.061*** (0.349)	-0.961** (0.390)	-0.921*** (0.280)	-0.948* (0.484)
Observations	177	176	173	173	170
R-squared	0.490	0.484	0.485	0.480	0.481

Robust standard errors in parentheses

\*\*\* p&lt;0.01, \*\* p&lt;0.05, \* p&lt;0.1

**Controlling for Demography** As in the case of institutionalisation, controlling for demography variables shows a consistent and statistically significant effect of all the components of organisational structures. Therefore, controlling for demography does not in any way undermine the effect of organisational structures. Nevertheless, specific demography variables affect the score of individuals on the scale of legislative assistance. In particular the area of education has power in explaining legislative assistance (Table 10.6, Model 5; Table 10.7, Models 1-5). This is shown in the significance of the coefficients and in the percentage of the explained variance. Organisational structures and the area of education explain together 59.7 per cent of the variance in legislative assistance (Table 10.6, Model 5) or 10.7 per cent more than organisational structures alone (Table 10.3, Model 1).

Table 10.6: Full Model: Organisational Structures (1)

VARIABLES	(1) lega	(2) lega	(3) lega	(4) lega	(5) lega	(6) lega	(7) lega	(8) lega
Middle g.	-0.222 (0.148)	-0.0778 (0.157)	-0.110 (0.146)	-0.118 (0.139)	-0.291** (0.146)	-0.118 (0.145)	-0.0857 (0.141)	-0.116 (0.143)
Low g.	-0.522*** (0.159)	-0.258 (0.172)	-0.348** (0.151)	-0.327** (0.141)	-0.428*** (0.144)	-0.339** (0.148)	-0.292** (0.138)	-0.381** (0.148)
Advisor	0.971*** (0.147)	0.908*** (0.148)	0.895*** (0.160)	0.964*** (0.139)	0.815*** (0.158)	0.855*** (0.152)	0.912*** (0.149)	0.892*** (0.148)
Assistant	-0.120 (0.160)	0.103 (0.139)	0.0169 (0.137)	0.0755 (0.135)	-0.0597 (0.147)	0.00922 (0.134)	0.0509 (0.131)	-0.0355 (0.135)
Committee	1.459*** (0.196)	1.473*** (0.197)	1.491*** (0.208)	1.474*** (0.198)	1.611*** (0.192)	1.521*** (0.206)	1.500*** (0.204)	1.529*** (0.204)
Structural	0.0440 (0.160)	-0.116 (0.159)	-0.0364 (0.168)	-0.122 (0.163)	-0.207 (0.182)	-0.0217 (0.164)	-0.134 (0.159)	-0.0525 (0.168)
Citizens a.	-0.248* (0.139)	-0.240* (0.136)	-0.238* (0.136)	-0.259* (0.135)	-0.109 (0.159)	-0.256* (0.144)	-0.224 (0.136)	-0.270* (0.151)
Budgetary a.	-0.381** (0.180)	-0.493*** (0.179)	-0.473*** (0.175)	-0.491*** (0.170)	-0.439** (0.173)	-0.471*** (0.174)	-0.453*** (0.172)	-0.480*** (0.182)
Foreign a.	-0.152 (0.152)	-0.155 (0.155)	-0.169 (0.154)	-0.148 (0.153)	0.0272 (0.173)	-0.154 (0.159)	-0.146 (0.152)	-0.122 (0.156)
Age	-0.0156** (0.00713)							
Experience		0.00669 (0.0111)						
Male			-0.0794 (0.116)					
MA&PhD				0.218 (0.165)				
Economics					-0.285* (0.150)			
Soc. s.					0.0295 (0.134)			
Arts					-0.410** (0.197)			
Party aff.						0.0990 (0.110)		
South							0.0782 (0.171)	
North							-0.0115 (0.163)	
West							-0.111 (0.153)	
Old MS								-0.00378 (0.130)
Constant	-0.240 (0.401)	-1.105*** (0.258)	-0.953*** (0.224)	-1.199*** (0.257)	-0.898*** (0.223)	-1.049*** (0.221)	-1.030*** (0.259)	-0.994*** (0.242)
Observations	169	177	168	176	135	169	177	159
R-squared	0.526	0.491	0.505	0.497	0.597	0.497	0.496	0.517

Robust standard errors in parentheses

\*\*\* p&lt;0.01, \*\* p&lt;0.05, \* p&lt;0.1

Table 10.7: Full Model: Organisational Structures (2)

VARIABLES	(1) lega	(2) lega	(3) lega	(4) lega	(5) lega
Middle g.	-0.344* (0.177)	-0.427** (0.169)	-0.364** (0.155)	-0.366** (0.154)	-0.319** (0.146)
Low g.	-0.559*** (0.194)	-0.712*** (0.200)	-0.603*** (0.160)	-0.613*** (0.162)	-0.489*** (0.146)
Advisor	0.705*** (0.193)	0.741*** (0.193)	0.850*** (0.152)	0.877*** (0.145)	0.773*** (0.167)
Assistant	-0.293 (0.181)	-0.412** (0.192)	-0.193 (0.169)	-0.190 (0.173)	-0.108 (0.150)
Committee	1.795*** (0.200)	1.770*** (0.208)	1.609*** (0.183)	1.622*** (0.186)	1.697*** (0.193)
Structural a.	-0.118 (0.184)	-0.102 (0.182)	-0.0575 (0.175)	-0.0750 (0.176)	-0.104 (0.174)
Citizens a.	-0.212 (0.164)	-0.203 (0.177)	-0.124 (0.165)	-0.140 (0.162)	-0.155 (0.159)
Budgetary a.	-0.459** (0.180)	-0.458** (0.191)	-0.404** (0.183)	-0.414** (0.184)	-0.454*** (0.168)
Foreign	-0.0317 (0.171)	0.0163 (0.182)	-0.00288 (0.170)	-0.00259 (0.169)	-0.00504 (0.175)
Age	-0.0154 (0.00933)	-0.0139 (0.00953)	-0.00966 (0.00764)	-0.0104 (0.00768)	
Experience	0.0126 (0.0157)	1.92e-06 (0.0149)			
Male	-0.0873 (0.142)	-0.0826 (0.138)			
MA&PhD	0.372* (0.191)	0.316 (0.200)		0.184 (0.179)	0.167 (0.194)
Economics	-0.156 (0.164)	-0.187 (0.170)	-0.304** (0.144)	-0.269* (0.143)	-0.302* (0.159)
Soc. s.	0.0370 (0.140)	0.00882 (0.146)	-0.000496 (0.129)	0.0141 (0.127)	0.0209 (0.134)
Arts	-0.422* (0.229)	-0.432* (0.231)	-0.472** (0.194)	-0.429** (0.200)	-0.495** (0.215)
Party aff.	0.243* (0.138)	0.256* (0.143)			0.112 (0.134)
South	-0.110 (0.225)				
North	-0.0492 (0.232)				
West	-0.331 (0.211)				
Old MS		-0.116 (0.189)			
Constant	-0.560 (0.602)	-0.408 (0.546)	-0.372 (0.430)	-0.522 (0.489)	-1.066*** (0.329)
Observations	123	116	129	129	128
R-squared	0.655	0.644	0.629	0.633	0.621

Robust standard errors in parentheses

\*\*\* p&lt;0.01, \*\* p&lt;0.05, \* p&lt;0.1



### 10.3 Discussion

This chapter has presented the findings on the effects of organisational variables on the behaviour of staff in the EP. The statistical tests built on organisation theory (Chapter 8). Based on this theory, it was tested whether and to what extent organisational variables affect the behaviour of staff. Specifically, the statistical tests were set up to examine the effect of organisational structures, while controlling for other organisational variables, i.e. demography and institutionalisation. Structures, demography and institutionalisation all qualify as characteristics of organisation. However, organisation theory supposes that only organisational structures affect the behaviour of members of an organisation.

Organisation theory has been applied, because the EP is a formalised organisation. The EP has put in place horizontal and vertical modes in order to channel the behaviour of its staff. In organisations, where several organisational structures are in place and formally well defined, as in the EP, one expects behaviour to be patterned accordingly to these structures. In such conditions behaviour is less likely to be conditioned by demographic characteristics or institutionalised beliefs.

The findings presented in Sections 10.1 and 10.2 indicate support for this logic. Consequently, there is evidence to support Hypothesis 4, i.e. organisational structure of legislative assistance affects the behaviour of legislative staff. The implication of this finding is that the principals of the EP (e.g. MEPs, Bureau, political groups, etc.) control staff, since the latter behave according to the structures that the former devised to offset any intervention, which is outside the control of the organisation itself.

Among organisational structures, functional specialisation has by far the biggest effect, where following the work of a committee increases an individual's participation in assisting MEPs (Table 10.7). This is an expected finding since committees are the most important venues for scrutinising legislation in the EP. The findings support the logic found in studies, which target the role of officials in the committees' secretariats (Winzen, 2011; Dobbels and Neuhold, 2013; Neuhold and Dobbels, 2014).

However, the results in this study show that besides work in committees, attention has to be paid also to the administrative affiliation of staff, i.e. whether they work for the general secretariat, a political group or an MEP. The results suggest that political group advisors are more involved in legislative assistance than secretariat officials. Overall, it seems that APAs are less involved in legislative assistance than political advisors, but they are equally involved as general secretariat officials. This finding sheds light on how the balance between different administrative players has changed since their roles were first observed. The role of secretariat officials, which have been so far considered as the most important administrative players in the EP, has diminished. Committee staff of the secretariat are still very important for organising activities for MEPs and to a lesser extent drafting reports. They do not show a prevailing role in any of the other activities.<sup>15</sup> In

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<sup>15</sup>It has to be noted that none of the tests detected a statistically significant relationship between providing advice on legal issues and administrative affiliation. In terms of frequency it seems that secretariat administrators are the ones who provide legal advice the most commonly. It is likely that this relationship

parallel to the decrease of the role of the secretariat, the role of APAs has increased. While in the past, parliamentary assistants could not attend the meetings of committees, today they are active players in several activities and in particular in providing MEPs research capacity. The restructuring of research services in the secretariat of the EP might give a greater role in research to administrators, while APAs could focus on political activities.

The results are telling also about the role of staff given their policy specialisation. The assumption was that in areas where the ordinary legislative procedure is most frequently applied (namely in the economic and scientific affairs) compared to other procedures (i.e. consultation, assent and the budget's procedures), MEPs tend to require support from staff more than in other areas. The results mostly show that this is not the case. There is no difference between staff that work in economic/scientific affairs and structural/cohesion affairs. Even staff working on foreign affairs, where the ordinary procedure is on average used only in 2.6 per cent of cases (Figure 8.2), do not appear to be less involved in legislative assistance than the others.

There are two statistically significant cases with negative coefficients: citizens' affairs and budgetary affairs. Based on Table 10.5, staff working in the area of citizens' rights are less frequently involved in legislative assistance than those that work in economic and scientific affairs. This result is not robust, since the variable is not statistically significant in any of the models in Table 10.7.

Regarding the type of decision-making procedure, Dobbels and Neuhold (2013) found out that in cases of consultation staff tends to be less guided than in codecision procedures, where the EP has a greater power over legislation. The result in this study shows that staff, which work in areas where consultation is applied in the most cases, are in general less likely to assist MEPs. Together with the findings of Dobbels and Neuhold (2013) this could mean that not only are staff less guided in consultation procedures, but that the EP in general invests less resources in consultation procedures than in codecision (Rasmussen and Toshkov, 2010). A respondent described the difference between codecision and consultation in the following way (Interview A, 2012):

When you work on a proposal with co-decision [...] you work for something where the EP has a lot of power, so it is different from opinions, consultations and resolutions. So, you really work on legislation. But, because it is legislation, it is very technical. [...] Of course, a little bit the negative side of it is that MEPs are always in the front, they are the one who talk in the meetings, the ones who negotiate. You are just the one assisting. [...] And the parliament is taken seriously in these areas [of codecision]. If you have a consultation you [administrator] will do the same work, it is just that nobody reads it.

In addition to the area of citizens' rights, the second negative statistically significant case are staff working in budgetary affairs, where the ordinary procedure is used the least (1.1

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is true for the population, and that due to the low number of observations (i.e. the number of secretariat administrators that works in the legal service equals 11 lawyers), the tests could not detect a significant relationship.

per cent of the codecision proposals). This result means that staff working on budgetary issues tends to participate less frequently in legislative assistance. The result could also mean that MEPs working on budgetary issues require a different kind of assistance than the one measured here with the scale. Thus, confirming the observation made in Section 7.3 that the budgetary policy is a domain, which requires different expertise compared to other policy areas (namely legislation). Overall, given the levels of significance, there is no strong evidence for the hypothesis that the decision-making procedure in parliament affects how frequent staff are involved in assisting MEPs.

Contrary to the results in reduced regression models, rank is a statistically significant and robust variable in full regressions, where control variables are added (Tables 10.6 and 10.7). In particular low-ranking staff are less frequently involved in legislative assistance than high-ranking staff. Less robust are the results for middle-ranking staff. Based on the data available, hierarchy matters for assisting MEPs. This is not surprising, since the EP's administration is characterised by a developed ranking system.

Except for the area of education, none of the control variables exhibits a statistically significant result in a consistent way. The finding is line with several other studies that also did not detect demography as a variable affecting behaviour (Trondal, 2011; Jacobsen, 2006; Egeberg, 2012). As articulated by Pfeffer (1997, p. 98): 'Demography is not destiny.' This finding raises also some questions on the observations of studies in political sociology. For the case of MEPs' assistants, Michon (2014) has showed that some demographic characteristics, such as the attended school and previous experiences, act as 'gates' or 'filters' to become staff in the EP. While the entry into the EU administration is paved by specific demographic characteristics and personal choices, this dissertation shows that their effect fades once an individual becomes a member of the organisation. In other words, demography matters when an individual is outside the organisation, while it does not matter when an individual is inside the organisation. It might be that the uniformity (i.e. the lack of variation), which is informally produced through recruitment, prevents the rise of conflict based on demographic characteristics and assures behaviour, which complies with organisational structures.

The findings in this study also mean that organisational structures are fit indicators on how behaviour is shaped in the EP. From one point of view, this is a positive finding, because demography and institutionalisation are outside the control of the organisation compared to organisational structures. While the organisation can change, modify and set up new organisational structures through administrative reforms, this is more difficult to achieve in the case of demography and institutionalisation. In respect to demography, it is interesting that party membership mitigates the effect of organisational structures in individual regression models. Among all the demographic variables it is the variable that stands out and deserves more attention in the future, also because the EP is a political organisation.

The demography of the staff population changes gradually with the turn of generations. A radical change can happen only with lay offs or new recruitments. In the case of the EP,

the population of staff could have changed in a significant way after the expansion of EU membership from 15 to 25 states, when staff with different citizenships were recruited for the first time after Austria, Sweden and Finland joined the EU in 1995. A qualitative study on the use of English and French in the European Commission (i.e. the use of language as a type of behaviour) shows that the main language of communication changed after the 2004 enlargement: French is no longer the *lingua franca* of the European Commission because a large proportion of recruits from new member states is not fluent in French (Ban, 2010). The data available in this study does not observe language in connection with citizenship. However, the qualitative part of the study has established that, aside linguistic services, enlargement does not affect the way legislative assistance is carried out in the EP.

In respect to citizenship, a study on the European Commission has shown that geographical origin influences the role conceptions of officials: Commission officials from state centric countries are more likely to support a state-centric EU, while Commission officials from federally organised countries are more likely to adopt a supranational view on the EU (Hooghe, 2012). The present study does not find any influence of geographical distribution on behaviour. This is corroborated also with another study on the staff in the EP, where Egeberg et al. (2014b) have tested the effect of geographical balance on the staff's concerns and found no effect.

There is also little evidence for the influence of gender. Gender affects legislative assistance neither directly nor through interactions with organisational variables. The difference between genders was detected for individual cases. More female staff reported to attend meetings, organise activities for MEPs, perform research and provide MEPs with policy ideas very frequently compared to men. The latter activity can be explained by the fact that coming up with policy ideas is moderately correlated with conducting research as the process where ideas are very likely to originate. In spite of this finding, regression analysis shows that gender does not affect how frequently staff assist MEPs in legislative assistance when controlling for organisational structures. The result on gender is supported by previous research, which has shown that demography has a compositional effect (Pfeffer, 1997, pp. 82-83). This means that demography is more likely to affect behaviour where a characteristic is asymmetrically distributed to the advantage of one group in the organisation (Selden, 1997; Pfeffer, 1997, p. 82). People's behaviour is affected by gender, when one of the genders is disproportionately distributed. Given the population and the survey data, there is no such disproportionate distribution of gender. This may explain why no statistically significant effect has been found for this variable.

The study has also attempted to control for institutional values as the values that are infused among staff in the EP. Institutionalisation is even more difficult to control for than demography, because institutionalised values develop, change and phase out gradually. In this study, variables measuring institutional values do not have a statistically significant effect on behaviour. This means that the concerns or considerations over Europe and the EU do not affect how staff assist MEPs. This finding can be explained in two ways. First, it might be the case that no effect has been found, because there is no variation on the three

variables that measure institutional values. Alternatively, the finding can also indicate that staff in the EP behave neutrally given their feelings towards the EU. It has to be considered that institutional values other than considerations over the EU/Europe might be at play. For example, personal beliefs on how specific policies might be amended could influence the extent MEPs involve staff in their work. However, identifying such values is challenging. Even when such values are detected, they are subsequently difficult to measure. Moreover, we know little on how institutionalisation can help an organisation achieve its goals (e.g. what is the effect of values of decisions, how do informal norms affect formal goals or tasks).

## 10.4 Conclusion

The purpose of this chapter was to examine the organisation of legislative assistance in the EP and statistically analyse its effects on the assistance of MEPs. The approach has built on organisation theory and its proposition that the organisation of administrative structures affects the behaviour of individuals. The effect of organisational structures is robust to variables measuring demography and institutionalisation. The findings show that there is a significant connection between structural characteristics and tasks. Hence, evidence is found for Hypothesis 4. The main conclusion that can be drawn is that the EP has been relatively successful in creating an administrative organisation, which combines different principles of specialisation. Organisation does matter in the EP also for the case of legislative assistance.



## Chapter 11

# Conclusion

The central question of this dissertation has been how does the organisational form of legislative assistance affect the functioning of the European Parliament. In answering this question, we have learnt two things. First, we have acquired knowledge on the organisation of legislative assistance in the European Parliament from the 1950s to 2010s. Second, new insights have been revealed on the behaviour of EP staff. In order to achieve this, Chapter 1 presented the research question of the dissertation and highlighted the relevance of the study. Chapter 2 summarised the existing literature on administrative assistance in the EP. Chapter 3 reviewed the theoretical explanations of institutional design and its effects on behaviour. Chapter 4 outlined the empirical data and methods employed throughout the thesis. Chapters 5, 6 and 7 (Part I) employed the relevant theory to analyse the design of legislative assistance in the EP. Chapters 8, 9 and 10 (Part II) studied the effects of organisation on the behaviour of staff in assisting MEPs. This final chapter synthesises the findings.

### 11.1 Synthesis of the Theoretical Arguments and Empirical Findings

The main argument of the study is that the organisational form (design) of legislative assistance affects how staff in the EP assists members of parliament. Different forms of organisations (structures) favour the involvement of different administrative players. While the behaviour of staff is conditioned by the organisation of legislative assistance, the organisation itself is conditioned by the institutional environment, functional needs and the historic choices of the EP. The empirical findings are summarised in Tables 11.1 and 11.2. The findings are then contextualised in the following sections.

#### 11.1.1 Effects

The study has shown that organisational structures are significant determinants of legislative staff behaviour and the frequency staff assist MEPs. The main reason to study the

Table 11.1: Evidence on the Organisational Form of Legislative Assistance

Hypothesis	Support	Example
H1 The form of legislative assistance in the EP is organised according to the form of state legislatures.	Supportive evidence based on a comparison with the UK, FR, D and US legislatures	Composite administration: central administration, political group secretariats and MPs personal staff.
H2a The administrative organisation of the ECSC's Common Assembly corresponds to the rational-functional model of organisation.	Mixed evidence	The Common Assembly set up its own administration to be autonomous from the CoE. At the same time it relied on services from national parliaments. As a characteristic of state-legislatures it set up secretariats for political groups.
H2b The federal idea of Europe, as conceived by the founding fathers of the EU, promoted the adoption of state-parliament characteristics for the organisation of legislative assistance in the Common Assembly.		
H3a Since 1958, legislative assistance in the EP has changed in parallel and as a result of treaty revisions.	Mixed evidence Supportive evidence only for the 1960s and 1970s	The Parliamentary Assembly of the EC reformed the general secretariat right after the adoption of the Rome Treaty. The number of staff in the Budgets committee increased after the EP acquired budgetary powers.
H3b The form of legislative assistance has changed in line with the model of state legislatures.	Supportive evidence	Political groups set up secretariats in the 1950s, national parliaments indicated withdrawal of support in the 1960s, a staff allowance was introduced in the 1970s...
H3c The form of legislative assistance in the EP has <i>gradually</i> changed in line with the model of state legislatures.	Mixed evidence Supportive evidence only from the 1980s to 2000s	The implementation of reforms (for example Raising the Game) lagged behind the adoption of treaties.



Table 11.2: Summary of Evidence on the Effect of Organisational Structures

Hypothesis	Statistical Support	Reference
H4 The organisational structure of legislative assistance affects the behaviour of legislative staff.	<i>Strong support</i> The effect and statistical significance of organisational structures does not change when controlling for demography and institutionalisation.	Tables 10.4 and 10.5
H4a Involvement in legislative assistance increases with the job rank.	<i>Partial support</i> Strong support that low-ranking staff are less frequently involved in legislative assistance than high-ranking staff. However, weak support that middle-ranking staff are less frequently involved in legislative assistance than high-ranking staff.	Tables 10.5 and 10.7
H4b Administrators employed in the general secretariat are involved more frequently in legislative assistance than the political advisors working for political groups and accredited parliamentary assistants.	<i>No support</i> No support that administrators in the general secretariat are involved more frequently in legislative than accredited parliamentary assistants. On the other hand, there is strong support that political advisors are more frequently involved in legislative assistance than general secretariat administrators.	Tables 10.6 and 10.7
H4c Staff who follow the work of at least one committee are involved more frequently in legislative assistance than staff who do not follow the work of committees.	<i>Strong support</i>	Tables 10.6 and 10.7
H4d Individuals working on economic and scientific policy are involved more frequently in legislative assistance than others.	<i>Partial support</i> Strong support that individuals working on economic and scientific policy are involved more frequently in legislative assistance than individuals working on <i>budgetary</i> issues. Weak support that individuals working on economic and scientific policy are involved more frequently in legislative assistance than individuals working on <i>citizens'</i> affairs. No support that individuals working on economic and scientific policy are involved more frequently in legislative assistance than individuals working on <i>structural/cohesion</i> and <i>foreign</i> affairs.	Tables 10.6 and 10.7
H4e The involvement of staff in legislative assistance depends on the political group staff work for.	<i>Very weak support</i> that S&D and ALDE staff are involved more frequently in legislative assistance than EPP staff	Table 10.3

effects of organisation was to gain new insights on what conditions the involvement of staff in assisting MEPs. The findings are the following:

- Behaviour is profoundly shaped by organisational structures compared to demographic and institutional factors. Except for the area of education, none of the tested demographic characteristics has a consistently significant effect on staff' behaviour.
- High-ranking staff are more frequently involved in legislative assistance than low-ranking staff.
- Staff, who are affiliated to a committee secretariat and staff who follow the work of at least one committee are in the position to assist MEPs the most frequently. Indirectly, the finding means that research staff and legal staff assist MEPs on a less frequent basis. Moreover, it signals that, while staff in the so co-called committee secretariats, are important administrative players in the legislative assistance of MEPs, political advisors and accredited assistants have also a role to play.
- Hence, administrative affiliation is an important determinant for assisting MEPs. Political advisors of the parliamentary groups in the EP are more frequently involved in legislative assistance than secretariat administrators and accredited assistants.
- Staff working in the area of citizens' affairs, where consultation procedure is applied the most, carry out tasks pertaining to legislative assistance less frequently than staff working in areas of economic and scientific affairs, where codecision procedure is applied the most. Similarly, staff working on budgetary affairs are less involved in assisting MEPs than staff working in economic and scientific affairs.
- Staff who work for the ALDE and the S&D groups or MEPs are more frequently involved in legislative assistance than staff who work for the EPP.

Together these findings show that organisational structures have an effect on the behaviour of staff.

### 11.1.2 Design

The study shows that different phenomena condition the organisation of legislative assistance: functionalism, isomorphism, decoupling and path-dependency. Functional adaptation stands for the features in the organisation of legislative assistance, which are connected to the mission of the EP. Isomorphism or mimesis stands for the adoption of state-parliament characteristics following the federal idea of Europe. Decoupling stands for the process where a form of organisation can be adopted because it is culturally acceptable (albeit functionally inefficient). Path-dependency indicates that the EP's organisation or some of its features are influenced by administrative arrangements made in the past, in particular in the initial phase of the EP in the 1950s. The adoption of ideas around parliamentary models, functional adaptation and path-dependency are the most discerned

processes. In addition, the thesis has traced also elements pertaining to distributive processes, even if the setting of the study does not allow identifying clear interests and all actors. Distributive elements refer to the quest of control over administrative resources and bargaining as the process through which resources are distributed in the EP. The findings are the following:

**Functionalism** Functional considerations on the organisation of legislative staff are visible in the early stage of European integration up to the 1970s. As the EP gained consultative and budgetary powers, the administration changed in parallel. For example, the central administration reformed its services and a new set of staff rules for political advisors were adopted after the Rome Treaty. Similarly, the entry into force of the budgetary treaties in the 1970s was accompanied with a growth in the number of staff working on budgetary issues compared to other committees. Direct election caused an increase of staff expenditures for parliamentary assistance and the discontinuation of national parliaments' secretariats for delegations of MEPs.

**Functionalism, Isomorphism and Decoupling** The first form of administrative organisation in the EP was the result of a combination between functional and ideational elements. The Common Assembly was from its start in the early 1950s serviced by its own secretariat, political group secretariats and national parliaments. All of these three elements pertain to different logics of institutional design. Establishing a general secretariat, which was independent from the Council of Europe, is a manifestation of a functional design. The administrative independence from the Council of Europe was in fact seen as a requirement for the EP to exercise its functions with autonomy. The set up of political groups and their secretariats is one of the fundamental characteristics of state-legislatures, which provides evidence for isomorphism, but also decoupling. The functional purpose of political groups secretariats is not clear in the 1950s, when, in fact, the members of the Common Assembly were assisted by national parliaments. For all of these reasons the first administrative form is best-explained following logics of functionalism, decoupling and isomorphism at the same time.

**Isomorphism and Path-Dependency** The functional argument is not sustained in the aftermath of the first European elections. The problems in the organisation of legislative assistance accumulated and were finally addressed in different waves of reforms throughout the 2000s and 2010s. It is important to note that when change occurred in the 2000s and 2010s, it reinforced the features common to state-legislatures. Hence, the isomorphic adaptation of the EP continued albeit at a slower pace. Therefore, changes in the form of legislative assistance are, from the 1980s onwards, explained also by the logic of path-dependency.

**Distribution and Power** Based on the collected evidence, but in absence of detailed information, the study has found traces of the distributional logic in the following examples: the conflict between the Council of Europe and the ECSC/Common Assembly in the early 1950s, the debate over the allocation of funds to political groups between MEPs in the late 1950s, the attempt of political groups to control the general secretariat through (political) appointments and the recent increase in administrative resources of MEPs. Distributive elements were found in all the phases (creation and change) of EP's legislative assistance. The beginning of this dissertation has introduced the idea from the American Congress that staff are resources of power (Fox and Hammond, 1977, p. 1). Following the collected evidence, it can be concluded that staff are a source of power also in the EP. It is worth noting, that the notion of staff as resources of power does not necessarily mean that staff have power.

The conclusion that can be drawn from these findings is that given the lagged adaptation to political reforms (e.g. SEA, Maastricht, etc.), the strengthening of legislative assistance is a consequence of the political empowerment of the EP and not the opposite. It is not legislative assistance or staff resources that have affected the legislative powers of the EP, but rather the legislative power of the EP that (gradually) unleashed the development of staff capacity in the EP. Treaty changes are important, even if changes in the organisation of legislative assistance do not promptly follow them.

### 11.1.3 Design and Effect

In the beginning of the dissertation it was asked how does the study of organisational design (Part I) contribute to the study of effects on behaviour (Part II) and vice-versa. Studying both, the design of legislative assistance and the effect of design helps us to put some of the findings in context. The findings in the first and second part of the thesis complement each other, especially in the following cases:

**Research** Although the general secretariat of the EP has by far the most resources to perform research, the second part of the thesis has shown that the accredited assistants of MEPs carry out research more frequently compared to general secretariat administrators (and political group advisors). This situation is clarified in the historical analysis of Part I, which shows the uncertainties of the general secretariat to organise its research services. From the inefficient DG Studies in Luxembourg to the creation of policy departments in Brussels with the reform 'Raising the Game', the general secretariat eventually managed to establish a complete research department with DG EPRS in 2013. An important purpose of DG EPRS is to address the research inquiries from individual MEPs. In the absence of such a service, it is natural that MEPs turned to their accredited assistants. However, given the reform in 2013, MEPs' reliance on accredited assistants is likely to diminish compared to the situation, which was discerned with the survey data of this study.

**Budgetary Affairs** Throughout the thesis, the budgetary policy has stood out as an idiosyncratic area of legislative assistance. Part II of the thesis has shown that staff specialised on budgetary issues behave differently compared to others. Namely, the findings showed that staff specialised in budgetary affairs are less frequently involved in legislative assistance. The role of budgetary staff becomes clearer in reference to Part I, where the development of budgetary powers is discussed. It is observed that when the EP gained budgetary powers in the 1970s, staff of the Budget committee became increasingly important vis-à-vis staff that worked in areas where the EP had a consultative power. More importantly, Part I has described that staff specialised in budgetary affairs has different competences compared to staff in areas of legislation. Overall, it appears that legislative assistance in the budgetary area is a special case to study. A study juxtaposing the parliamentary functions of parliament in areas of control and legislation would reveal new insights on the budgets' staff particularity.

**Accredited Assistants** The second part of the thesis has shown that accredited assistants are in some instances more frequently involved in legislative assistance than secretariat administrators and political advisors. This finding would be surprising in the absence of the historical analysis in Part I. Historically, MEPs have always had limited financial resources to employ APAs, who were also the last to be included in the administrative legal framework of the EU. However, from 2000s onwards we have seen a gradual empowerment of individual MEPs through their staff allowance. This has allowed MEPs to recruit more, but also better-qualified staff. Hence, the role of accredited assistants has changed from the past when they were not allowed to attend committee sittings and were considered as mere paper-keepers or travel agents.

**Political Advisors** The second part of the thesis has shown that political advisors assist MEPs more frequently in legislative assistance than secretariat officials. Again, the first part of the thesis has shown that in the long run the general secretariat had significant capacity compared to political groups and individual MEPs. However, in the 1990s the political reforms (i.e. direct election, SEA, Maastricht Treaty) caught up with the EP, which brought to a demise of the general secretariat and a rise of political group staff. Hence, secretariat administrators have lost some of the action scope vis-à-vis political advisors.

**Future Developments** Finally, the results of the first and second empirical parts can inform us on how the future of legislative assistance will look like. While the second part shows that political group advisors are involved in legislative assistance the most frequently, this can change in the future based on two recent phenomena, which were described in the first part. The first phenomenon is the increase of MEPs' staff allowance and the improvement of working conditions for their accredited assistants. The second phenomenon is the 2013 reform of the general secretariat, which made it more susceptible to requests from individual MEPs and enhanced its research and scientific capacity. In light

of these events, the role of political advisors can diminish in the future, accredited assistants might continue to strengthen their position, while secretariat administrators might regain some of the position that they had lost after the EP acquired legislative powers.

## 11.2 Implications

### 11.2.1 Theory

This thesis has demonstrated the explanatory power of organisation theory, which was successfully used to predict how and how frequent legislative staff assist MEPs. The concept of organisational structures has proved a useful one to understand the organisation of legislative assistance in the EP and its impact on behaviour. The conclusions demonstrate that in the case of the European Parliament, the behaviour of legislative staff depends on the formal organisational structures that constitute the system of administrative assistance. The findings of the study support the application of organisational theory in line with the articles published by Egeberg et al. (2013, 2014a, 2014b). Therefore, behaviour should be studied in consideration to the organisational characteristics in addition to theories, which control for the relationship between the principal and the agent (Winzen, 2011; Dobbels and Neuhold, 2013).

The most important theoretical implication of this study is in the area of institutional change. The analysis of the organisation of legislative assistance has shown, what others have already observed (Jupille et al., 2003; Rittberger, 2001; Tallberg, 2010): events are better explained when different institutional approaches are considered at once. By drawing on one specific approach only, it is unlikely to address a phenomenon comprehensively (i.e. organisation or behaviour in this thesis).

More importantly, the study has observed that legislative assistance changed (sometimes slowly) as a result of treaties reforming the political system of the EU. If both, legislative assistance and the political system of the EU, are treated as institutional arrangements, then the conclusion is that institutional change causes institutions to change (i.e. institutional change produces change). In other words, it has always been the change of political treaties that brought change to the system of legislative assistance. Even though, legislative assistance has not always promptly adapted to treaty revisions, its change was always dependent on political changes. It seems that not only are institutional changes interdependent, but that there is an order between them.

### 11.2.2 Practice

#### 11.2.2.1 Division of Labour and Human Resources Distribution

The qualitative analysis in Part I has shown that the general secretariat was the first to develop administrative structures. In the long run, the general secretariat has maintained a significant capacity, which consists of a physical structure, staff and the general mandate to run the EP, compared to political groups and individual MEPs. This can explain why,

until at least the 1980s, the officials of the EP secretariat played an important role in the assistance of MEPs compared to political advisors and accredited assistants.

The analysis of the survey results in Part II has shown that nowadays MEPs rely on multiple administrative players, i.e. there is a so-called ‘market for assistance’. Given the results obtained on the scale variable measuring legislative assistance, secretariat administrators do not appear to be the most frequent providers of legislative assistance anymore. Advisors in political groups, which adopted administrative capacities already in the 1950s, are the most frequent source of assistance. Resources for parliamentary assistants, which were the last to join the EP ‘market for assistance’, increased in a significant way only after direct elections and following the regulation on APAs. The tardiness in the development of APAs’ role might explain the relatively unimportant role assistants played in the first decades of the EP. The most recent reforms, combined with the survey results, indicate an evolution of APAs’ role. Nowadays, APAs are frequent contributors in the legislative assistance of MEPs.

The empowerment of APAs can be seen as a manifestation of a more general trend in parliamentary politics, where political parties are loosing their appeal to voters (IPU, 2012). In an attempt to be re-elected, members of parliament are pushed towards representing narrower (constituency) interests. Therefore, members of parliament have an incentive to develop their own personal brand rather than relying on political party labels. Assistants are in a strategic position to aid their members in devising personal labels. In the European context this is especially true for APAs in the EP, where MEPs benefit from the highest staff allowance compared to members in other parliaments.

In this respect, it is interesting that the general secretariat of the EP is transforming some of its administrative units in order to better service individual MEPs rather than collective bodies, such as committees, political groups, the Bureau, the Conference of Presidents, etc. In order to maintain its perceived neutrality, the general secretariat has to assist individual MEPs and collective bodies in a balanced way. A general secretariat, where administrative structures lean towards servicing one set of political actors over the others leads to the impression that it is taking up positions. Administrators in committee secretariats, which are responsible to assist rapporteurs on individual dossiers, are a case in point. Often they are seen as staff of the rapporteur rather than staff of the committee as a whole, since they work closely with one committee member only (i.e. the rapporteur). Therefore, the question is not only on the quality of assistance, but also how it is distributed among all the political actors.

Based on the comparison of organisational forms of legislative assistance in the British, French and German national legislatures (Chapter 5), it is possible to say that the EP has always had a relatively high quality and well-funded administration. How has the distribution of resources in the EP changed over time is, on the other hand, difficult to analyse. As already said, one of the reason has to do with the fact that administrative issues are not at the forefront of the political agenda, which makes information scarce. Even when information exist, the more than fifty-year of EP history, makes it difficult to

find it. Nevertheless, on the basis of the information in this study, it can be concluded that the distribution of human resources attracted the attention of political groups after their establishment in the 1950s. The number of staff and the amount of expenditures reveal that the relative distribution of human resources between the general secretariat and political groups secretariats has overall been balanced and without excessive fluctuations in favour to only one administrative actor. Nonetheless, it appears that in the wake of the budgetary reductions and staff cuts in the EP, the distribution of resources is becoming an increasingly contentious issue compared to the past.

#### 11.2.2.2 Bureaucratisation

The evolution of human resources distribution is an important element in the debate on parliamentary bureaucratisation (Christiansen et al. 2014; Neuhold 2014; see also Chapter 1). This debate involves a discussion on the appropriate level of staffing and the delegation of activities. The aggregation of staff or tasks in any form or direction puts democratic decision-making at risk. In the case of this study, it has been shown that staff of the EP's general secretariat have exercised disproportional influence over the activities of the EP in the 1950s. From the 1960s onwards, new recruitment opportunities for parliamentary groups started to curb the bureaucratic influence of EP's officials. This can be considered a positive development towards democratic decision-making, since more discretion was transferred to elected MEPs through their partisan aids. However, results of the survey in Chapter 10 show that parliamentary group staff have to a certain extent taken over from the administrators of the general secretariat even those tasks, such as advice on parliamentary procedures, which are better left to non-partisan bureaucrats. This development is problematic, since parliamentary rules should not be interpreted according to partisan preferences, but according to parliamentary law. The involvement of bureaucrats, either parliamentary group staff or general secretariat staff, is thus problematic for democracy when staff are involved in tasks for which they lack professional qualifications. When such unprofessional involvement occurs opportunities for an abuse of power arise and democratic decision-making is at stake.

Like previous research (Dobbels and Neuhold, 2013; Neuhold and Dobbels, 2014), this study does not provide systematic evidence for bureaucratisation in the EP. What is found are 'traces' of bureaucratisation. For example, access to high bureaucratic levels of administrations is politicized (Chapter 5), groups staff are given 'easy' access to the general administration of the EP (Chapter 7), accredited assistants are acquiring new tasks and competences (Chapter 7), etc. All of these processes have the potential to weaken democratic decision-making by side-lining the preferences of elected representatives.

However, in every democracy there is a certain level of 'undemocratic' (either politicized or bureaucratic) practices (Rouban, 2007). What prevents these practices from becoming systematic is the process of change. For example, politically democratic decision-making is ensured through regular elections. In the case of bureaucracies, mechanisms of change,



which act as deterrent to bureaucratisation, are regular recruitments, transparent competitions, established open selection criteria, etc. The process of such changes is very visible in the case of the EP administration, where the rise of one segment of administration has been followed by its fall in terms of tasks and prerogatives. Moreover, this process is not linear, but cyclical, which prevents any kind of bureaucracy to extend its competences beyond its professional vocation. Change is therefore a source of democracy also in respect to the problem of bureaucratisation.

#### **11.2.2.3 Further Professionalisation**

Change can very well be achieved also through continuing professionalisation. There is no definite division of tasks between general secretariat administrators, APAs and political advisors. The survey results have shown that everyone can do everything. In the past, secretariat officials used to advise MEPs on procedures. However, procedural advice is now provided also by political advisors. Administrators tend to assist MEPs more often than others only in legal advice. While legally the professions of secretariat administrators, APAs and political advisors are well defined in the Staff Regulations, their roles can be further professionalised. This has been done in the past by creating the Legal Service and it is likely to happen in the future with DG EPRS.

#### **11.2.2.4 Inter-Institutional Relations**

The EP has struggled to obtain legislative powers through which it could influence the Council and the Commission. Neither the historical analysis nor the survey results show a considerable reliance on staff in inter-institutional relations. Through the organisation of administrative assistance, the EP can target its resource deficit vis-à-vis the Council and the Commission. This means that the way legislative assistance is organised can help to sustain the EP as a unitary actor in inter-institutional negotiations. However, most of the findings in this thesis are about the role of staff in intra-institutional relations. The activities that staff do in inter-institutional relations do not transpire. In the absence of evidence, this leads to the tentative conclusion that inter-institutional life in the EU and the executive-legislative relationship are unlikely to affect the organisation legislative assistance in the EP.

### **11.3 Contribution to the Literature**

Many scholars have written on the European Parliament (Hix et al., 2003). Few of them have looked at the support that administrative players offer to elected members. The lack of interest and publications is evident from the most recent literature review on the EP, which does not even mention legislative staff as a (potential) area of research (Hix and Høyland, 2013). This study has therefore contributed to an unexplored research area.

The thesis has contributed to literature on the European Parliament and the debate on parliamentary staff in legislative studies.

### **Legislative Studies and the EP**

Studying legislative staff in the EP touches upon the traditional issue on the nature of the political system in the EU (Hix, 1994; Kreppel, 2006; Cofelice and Stavridis, 2014). By studying the organisation of legislative assistance in the EP, the study has shown that the system of legislative assistance in the EP is similar to the system in national parliaments. Members of the EP and parliamentary groups can all rely on the central service known as the general secretariat. The EP secretariat resembles more to the central administrations of European legislatures (the UK, Germany and France) than the USA in respect to three factors. First of all, the civil servants in the central administrations of the EP have to (officially) abide by the rules on neutrality. Second, officials in the EP take part in the legal, procedural and text drafting assistance to MEPs. Third, parliamentary groups in the EP have important financial and staff resources for their functioning. All these aspects characterise European legislatures more than the US Congress, where there is no clear distinction between neutral and political staff; and where administrative resources are concentrated in the hands of individual legislators. It has to be pointed out that the latest developments in 2000s have empowered individual MEPs as seen in the Congressional model. More autonomy has been placed in the hands of individual members through the increase of MEPs' staff allowance and through the creation of new services in parliament (i.e. the library briefings, research services). In respect to all the characteristics mentioned above, the study has shown that the EP has the essential characteristics of a democratic parliamentary system rather than an EU's institution in a *sui generis* system.

### **Legislative Staff in the EP**

The literature review (Chapter 2) has discussed studies, which deal with the impact of administrators on the EU decision and policy-making. The issues that have been studied the most are the conditions under which committee officials impact legislation (Winzen, 2011; Dobbels and Neuhold, 2013; Neuhold and Dobbels, 2014). The main aim of these studies has been to address the bureaucratisation of democracy in parliament, where legislation is adopted by unelected rather than elected officials. To problematise the rule by officials, staff in the EP is treated as a bureaucracy.

By focusing on the forms of organisation, the present study has analysed EP staff as an administration. The aim was not to problematise the bureaucratisation of democracy, but to observe how forms of organisation can guide people's behaviour in parliament. This means that the role of staff has not been theorised based on the personal goals or ambitions of members of parliament, which has permitted to pay more attention to the characteristics of staff. As a result, the study has adopted an inclusive definition of legislative staff, i.e. administrators in the general secretariat, advisors in political groups and APAs. A

definition that it not restricted to committee staff has allowed observing the more known role of officials in the central administration and political advisors, but also the role of the less known assistants to the members of the EP.

In respect to previous research, the study is longitudinal, which has allowed showing that the patterns of legislative assistance vary over time. The dissertation has explained the patterns with functional-rational, sociological and historical institutionalism. For the first time it has been showed that the respective roles of staff have changed over the years. While in the beginning of the EP the officials of the secretariat were important contributors to the work of MEPs, their role has diminished over the years in favour to political group staff. Recent reforms in the late 2000s and 2010s have strengthened the role of accredited assistants and possibly re-established the role of secretariat officials at least in the domain of research. Given these developments, it can be said that change is cyclical rather than evolutionary. Finally, compared to previous research focusing on the relationship between staff and politicians, the study has shown that organisational structures and historical circumstances are also relevant for the understanding of staff's role.

## 11.4 Future Research

This study has looked at the staff in the European Parliament that assist MEPs. Given the limited research in the field of parliamentary administration, the scope for future research is large. There are two basic ways in which future research is likely to develop. Researchers may continue to analyse the role of the administration in the European Parliament as a well-staffed legislature, and/or they can turn to study the role of administration in national legislatures. Researchers may keep on studying the function of legislation and/or turn to analyse the role of parliamentary staff in representation, budgetary control, etc. The study on some of these aspects has already begun.

### Representation and Constituency

The purpose of the dissertation was limited to the control and legislative functions of parliament. Our knowledge on administrative assistance in the EP would be enriched by looking at the function of representation. An interesting question to address is how staff contribute to connecting members of parliament to their constituents. Research in this direction should focus on local staff (i.e. staff in the constituency). In 2012, the Inter-Parliamentary Union identified the organisation of constituency services as one of the challenges facing parliaments. Voters in local constituencies expect from members of parliament to provide them services, such as support in matters with the government, development of local economies, etc. (IPU, 2012, pp. 58-71). The relevant questions are how parliaments cope with these demands and to what extent are constituency offices equipped to address the relationship between members of parliament and citizens.

### **Elections and Communication**

The electoral connection between MEPs and citizens is extremely weak or almost non-existent (Hix and Høyland, 2013, p. 184). In order to find new evidence on the electoral connection, research could focus on the role of local staff in election campaigns. It is not only the role of local staff that might be of interests, but also the administrative capacity of institutions, such as the European political parties and the EP. Prior to the 2014 European election there has been a call to strengthen European political parties (Priestley, 2011). However, European political parties do not have extensive resources for campaigning. On the contrary, the EP has greater capacity to communicate with European citizens. Nonetheless, a communication department within the EP general secretariat was set up already in 1957. In this respect it would be interesting to study the role of the Directorate General for Communication (DG COMM) in the EP's general secretariat. Rather than analysing the individual campaigns, research could focus on the role of DG COMM in respect to the role of political parties and similar departments in national parliaments. Among the issue that could be addressed is the legitimacy of DG COMM in promoting and communicating the political decisions of the EP.

### **Staff as Resources**

In terms of electoral behaviour, research could investigate the dichotomy between local and parliamentary staff. This kind of research would not only address the legislative function of MEPs in relation to their representative function, but it could give new insights on the behaviour of MEPs. By studying how MEPs distribute their staff in parliament or constituency, new information could be gained on the ambitions and motivations of MEPs. The logical hypothesis would be that MEPs who want to impact EU legislation employ more staff in parliament than constituency. On the opposite, MEPs who seek re-election employ more staff in constituency. The distribution of assistance might also be affected by the electoral system, where open list system would incentives MEPs to have more staff in constituency than MEPs in countries with closed lists (Farrell and Scully, 2007).

### **National Parliaments and Inter-Parliamentary Cooperation**

All of the above mentioned topics could be dealt with on a comparative and national level as well. In respect to the EP and national parliaments, it would be interesting to research administrative inter-parliamentary cooperation. This research has shown that historically there has been an administrative link between national parliaments and the EP even before inter-parliamentary cooperation was set up in the late 1980s with the Conference of Parliamentary Committees for the Union Affairs of the EU (COSAC). A study involving a historical overview on the relations between national parliaments and the EP, which would address also the time before the first COSAC meetings, could shed new light on the relationship between the EP and national parliaments. The specific historical context of the relationship between the EP and national parliaments can contribute to our understanding

on the recurrent character of institutions as argued by historical institutionalism (Orren and Skowronek, 1998).

Aside the relations between national parliaments and the EP, an interesting area to explore is administrative inter-parliamentary cooperation in specific policy areas. It has been observed that administrative contacts are one of the most successful forms of inter-parliamentary cooperation (Fasone, 2012). While some research has been done on the role of national officials in the scrutiny of EU's legislative proposals (Högenauer and Neuhold, 2013; Winzen, 2014), less is known about other areas of legislation, where competence remain in the hands of national governments. In particular it would be important to address administrative inter-parliamentary cooperation in foreign and fiscal affairs as two policy areas where the activity of parliamentary cooperation has been recently intensified. Moreover, research should focus beyond the EU framework to include other thematically relevant organisations (e.g. OECD, OSCE).

#### **Towards a More Enlightened Age: Legislative Assistance in the EP**

Finally, the research on the effects of organisation on legislative assistance that was presented in Chapters 9 to 10, should be replicated in order to obtain longitudinal data. Based on survey results the dissertation has provided an analysis of legislative assistance in the aftermath of the Lisbon Treaty. A comparison between the present situation and the past situation was possible given the historical analysis in Chapters 6 and 7, and previously published research. Replicating the survey in the future would provide a quantitative benchmark based on which the effects of organisation can be assessed. An analysis that studies the behaviour of staff in adjacent time periods can further support the explanatory power of organisation theory.



# Appendix A

## Survey

Dear participant

You are kindly asked to participate in the PhD research on legislative staff in the European Parliament. The survey focuses on activities and attitudes of staff in the European Parliament. It is part of my PhD dissertation in Political Science at the University of Luxembourg.

1. What is the research about? The research is about the behaviour of legislative staff, notably administrators, advisors in political groups and assistants to members of the EP, which are involved in policy work and or assist members of the EP. The objective is to investigate variations in behaviour exhibited by staff in the legislative decision-making of the EP. In order to compare behaviour I take into account variables such as age, policy area, nationality or contract type among others
2. What will I be asked to do? You will be asked to voluntarily read and answer questions pertaining to your job position.
3. How long is it going to take? Total survey time should be approximately 10 minutes.
4. Do I have to answer all questions? No. There are 5 mandatory questions, which are marked with an asterisk.
5. What type of personal information will be collected? No personal identifying information will be collected in this study, and all participants will remain anonymous. Should you agree to participate, you may voluntarily choose which and how many personal information to reveal.

Legal Notice on Data Protection: Personal data is treated in line with Data Protection Act adopted in 2002 (modified 2006, 2007) by the Grand Duchy of Luxembourg. In accordance a notification to inform on the processing of personal information has been sent to the National commission for the protection of data of the Grand Duchy of Luxembourg.

6. And if I want more information? You can visit the [website](#) of the project.

Your participation is greatly appreciated!  
Andreja Pegan, PhD Candidate

Click on the Next button to proceed.

## INTRODUCTION

1. What is your current position in the European Parliament? \* Please choose only one of the following:

- Permanent Administrator in the EP Secretariat
- Temporary Administrator in the EP Secretariat
- advisor in an EP Political Group
- Accredited assistant to an MEP
- Assistant in the EP Secretariat
- Seconded National Expert in the EP Secretariat
- Contract Agent in the EP Secretariat
- Special advisor in the EP Secretariat
- Local Assistant to an MEP
- Other (please specify):

2. Please select your service. Please choose only one of the following: [Not displayed: Only answer this question if the following conditions are met: Question 1: Permanent Administrator in the EP Secretariat, Seconded National Expert in the EP Secretariat, Contract Agent in the EP Secretariat, Special advisor in the EP Secretariat, Other]

- Secretariat of a committee
- Policy department
- Secretariat of a delegation
- Legal service
- Presidency
- Other:

3. Do you follow the work of at least one parliamentary committee in the European Parliament? \* [Not displayed: Only answer this question if the following conditions are met: Question 2, answer Secretariat of a committee, Policy department, Legal service]

- Yes
- No



4. Please select the EP political group you are currently working for. Please choose only one of the following: [Not displayed: Only answer this question if the following conditions are met: Question 1, answer advisor in an EP Political Group]

- EPP
- S&D
- ALDE
- ECR
- Greens/EFA
- GUE/NGL
- EFD
- Non-attached member
- Other:

5. Please select the political group of the MEP you are currently working for. Please choose only one of the following: [Not displayed: Only answer this question if the following conditions are met: Question 1, answer Accredited assistant to an MEP]

- EPP
- S&D
- ALDE
- ECR
- Greens/EFA
- GUE/NGL
- EFD
- Non-attached member
- Other:

## Working area

6. What is your main working area? \* Please choose only one of the following:

- Economic and Scientific Policy
- Structural and Cohesion Policy
- Citizens Rights and Legal Affairs
- Budgetary Affairs
- Foreign Affairs
- Legal Service
- Legislative Coordination and Conciliation
- Translation and Interpretation
- Policy making in general
- Other:

7. What is your secondary working area? Please choose only one of the following:

- Economic and Scientific Policy
- Structural and Cohesion Policy
- Citizens Rights and Legal Affairs
- Budgetary Affairs
- Foreign Affairs
- Legal Service
- Legislative Coordination and Conciliation
- Translation and Interpretation
- Policy making in general
- Other:

## Job activities

8. How often do you do the following tasks while working on a legislative proposal? \*  
Please choose the appropriate response for each item:

Scale: 1 Never, 2 Rarely, 3 Sometimes, 4 Regularly, 5 Very often

- Provide advice on parliamentary procedures
- Provide legal advice
- Provide advice on the line to take on a policy (e.g. Advise MEPs on how to vote, argument in favour of a position, assess if there is a majority, etc.)
- Contribute to policy ideas (e.g. Develop policy solutions/alternatives, etc.)
- Research (e.g. Draft briefings/background notes/studies, etc.)
- Draft amendments (Including compromise amendments)
- Draft legislative or own-initiative reports
- Negotiate with political groups
- Negotiate with Commission/Council/Presidency
- Coordinate MEPs positions (e.g. Find a compromise, etc.)
- Prepare voting lists (e.g. Position amendments/other voting items, etc.)
- Organise (e.g. Schedule meetings, prepare timetables, info circulation, etc.)
- Attend meetings
- Other (Specify later):

9. What other tasks do you do apart from the ones selected? Please write your answer here:  
[Not displayed: Only answer this question if the following conditions are met: Question 9:  
Other, answer on the scale from 2 to 5]

## Your present job

10. Specify your grade.

- Please write your answer here:

11. How long in years and months have you been working in the EP? \* Please write your answer(s) here:

- Years:
- Months:

12. Do you work full time or part time? Please choose only one of the following:

- Full time
- Part time
- Other:

### **Job experience in the European Parliament**

13. Have you ever had another job position in the European Parliament at any time in the past? Please choose only one of the following:

- Yes
- No

14. Which position(s) did you have in the European Parliament at any time in the past? Please choose the appropriate response for each item:[Not displayed: Only answer this question if the following conditions are met: Question 43, answer Yes]

Scale: Never, Less than 1 year, 1-5 years, 5-10 years, More than years 10 years

- MEP
- EP Administrator
- advisor to a Political Group in the EP
- Seconded National Expert
- Assistant to MEP
- Trainee
- Other (Specify later)

15. What other jobs not listed in the previous question have you had? Please write your answer here: [Not displayed: Only answer this question if the following conditions are met: Question 25, answer Other, on scale from 2 to 5]

### **Job experience outside the European Parliament**

16. Except for your job in the EP, have you had any other job after completing your studies? Please choose only one of the following:

- Yes

- No

17. Where did you work prior your employment with the EP? Please choose the appropriate response for each item: [Not displayed: Only answer this question if the following conditions are met: Question 27, answer Yes]

Scale: Never, Less than 1 year, 1-5 years, 5-10 years, More than years 10 years

- Government
- Political party
- Public or semi-public organisation (e.g. hospital, public transport, education)
- Private sector
- Non governmental organisation(s) (NGOs)
- EU body other the the EP
- International organisations (other than EU)
- Other (Specify later)

18. What other jobs not listed in the previous question have you had? Please write your answer here: [Not displayed: Only answer this question if the following conditions are met: Question 27, answer Other, on scale from 2 to 5]

## Education

19. What is the highest level of education you have completed? Please choose only one of the following:

- High school diploma
- Bachelor's degree
- Master's degree
- Doctoral degree
- Other:

20. What have you studied at the highest level of your education? Please choose only one of the following: [Not displayed: Only answer this question if the following conditions are met: Question 30, answers Bachelor's degree , Master's degree, Doctoral degree.]

- Law
- Economics and/or Business

- Social Sciences
- Arts and Humanities
- Engineering
- Life Sciences
- Other :

21. Have you studied abroad? Please choose only one of the following: [Not displayed: Only answer this question if the following conditions are met: Question 30, answers Bachelor's degree , Master's degree, Doctoral degree.]

- Yes
- No

## Your background

22. What year were you born? Please choose only one of the following:

- Options given from 1933 to 1994

23. What is your gender? Please choose only one of the following:

- Female
- Male

24. Do you have dual citizenship? Please choose only one of the following:

- Yes
- No

25. What is your country of citizenship? Please choose only one of the following:

- [List of EU Member States]
- Other:

26. What is your other country of citizenship? Please choose only one of the following: [Not displayed: Only answer this question if the following conditions are met: Question 36, answer Yes]

- [List of EU Member States]
- Other:

## Affiliation to organisations

27. Are you member of any of the following organisations? Please choose the appropriate response for each item:

Answer options: Yes or No

- Political party
- Think-tank
- Labour union
- Other (Specify later):

28. What other groups are you member of? Please write your answer here: [Not displayed: Only answer this question if the following conditions are met: Question 41, answers Other, Yes]

## Conclusion

29. Is there anything you would like to comment on the survey? Please write your answer here:





## Appendix B

### Survey Data

Table A.1: Total Number of Observations

Variables	(1) Legis- lative Staff	(2) Sec- retariat Officials	(3) Political Advisors	(4) APAs
Advice on parliamentary procedures	363	119	67	177
Legal advice	358	119	64	175
Advice on the line to take	364	118	67	179
Contribute to policy ideas	366	120	67	179
Research	363	119	66	178
Draft amendments	364	119	67	178
Draft reports	362	119	66	177
Negotiate with political groups	365	120	67	178
Negotiate with EU institutions	361	117	65	179
Coordinate MEPs positions	363	118	67	178
Prepare voting lists	364	119	67	178
Organise	381	125	68	188
Attend meetings	380	124	70	186
Other	159	53	32	74

Table A.2: Correlation Matrix for Tasks

	Legal a.	Proc. a.	Vote a.	Contribute	Res.	Draft a.	Draft r.	Neg. p. g.	Neg. ins.	Coord.	Vote l.	Organise	Attend m.
Legal a.	1.0000												
Proc. a.	0.4095*	1.0000											
Vote a.	0.1057	0.3854*	1.0000										
Contribute	0.996	0.3301*	0.5598*	1.0000									
Res.	0.0062	0.1388*	0.2625*	0.4205*	1.0000								
Draft a.	0.085	0.4225*	0.5331*	0.4360*	0.2362*	1.0000							
Draft r.	0.1206*	0.3965*	0.2789*	0.4107*	0.1776*	0.6555*	1.0000						
Neg. p. g.	0.1839*	0.3934*	0.5670*	0.4550*	0.1584*	0.4741*	0.4453*	1.0000					
Neg. Ins.	0.3493*	0.4760*	0.2689*	0.3167*	0.0309	0.3182*	0.4619*	0.5552*	1.0000				
Coord.	0.1388*	0.3820*	0.5908*	0.4653*	0.1903*	0.5475*	0.5002*	0.6873*	0.5256*	1.0000			
Vote. l.	0.0664	0.3926*	0.5064*	0.3298*	0.1257*	0.5963*	0.5463*	0.4806*	0.3871*	0.5409*	1.0000		
Organise	-0.0286	0.2023*	0.2145*	0.2379*	0.2053*	0.2019*	0.2090*	0.1577*	0.0197	0.2441*	0.2623*	1.0000	
Attend m.	0.0899	0.2555*	0.2778*	0.2567*	0.3056*	0.2718*	0.1817*	0.2136*	0.2124*	0.2930*	0.2896*	0.3742*	1.0000

Notes: N = 341, \* sig at 0.05

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## Interviews

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- Interview E (2012). *Interview with Enrico Vinci, former Secretary General and Guy Vanhaeverbeke, Honorary Director of the EP, 21th October*.
- Interview F (2012). *Interview with a Honorary Director of the EP, 23th October*.
- Interview G (2012). *Interview with an official of the EP and former political group advisor, 25th October*.
- Interview H (2012). *Interview with a seconded national expert to the EP, 11th November*.
- Interview I (2012). *Interview with an assistant to an ALDE MEP in the 6th parliamentary term, 11th December*.
- Interview J (2012). *Interview with Pier Virgilio Dastoli, assistant to Altiero Spinelli and former temporary administrator in the secretariat of the EP, 19th November*.

- Interview K (2012). *Interview with Stefan Pfitzner, Acting Head of Unit in the EP and former political adviser in the EPP, 6th December.*
- Interview L (2012). *Interview with an official (head of unit) of the EP, 6th December.*
- Interview M (2012). *Interview with an assistant to an EPP member, 6th December.*
- Interview N (2012). *Interview with a senior ALDE official, 7th December.*
- Interview P (2013). *Interview with Micheal Contes, Assistant to Stephen Hughes S&D MEP, 18th September.*
- Interview Q (2013). *Interview with Stephen Clark, Director of the Directorate for Relations with Citizens in DG COMM of the EP, 18th September.*
- Interview R (2013). *Interview with Alfredo De Feo, Director of Library and Document Management in DG Presidency of the EP, 19th September.*
- Interview U (2013). *Interview with Robert Fitzhenry, retired Head of the Press and Communications Service of the EPP group, 20th September.*
- Interview V (2013). *Interview with a former senior advisor in a political group, 21st September.*
- Interview W (2013). *Interview with an advisor in the S&D group, 21st September.*
- Interview X (2013). *Interview with an official of the EP, 12th November.*
- Interview Y (2013). *Interview with Michael Shackleton, retired official of the EP, 21st November.*
- Interview Z (2013). *Interview with Sébastien Richard, Assistant to Elisabeth Morin-Chartier EPP MEP and APA representative, 28th September.*
- Interview ZA (2013). *Interview with a senior official in the EPP group, 28th November.*
- Interview ZB (2013). *Interview with a senior official from the S&D group, 28th September.*
- Interview ZD (2013). *Interview with Vula Tsetsi, Secretary General of the Green/EFA group, 29th September.*